

Chapter 2 Administration

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Chapter 2 Administration

Article 1 In General (*Reserved*)

Article 2 Personnel Rules and Regulations

SECTION 1 GENERAL PROVISIONS

1.1 PURPOSE

The general purpose of this policy is to establish a system of personnel administration that meets the social, economic, and program needs of the Town of Bucksport. This policy includes policies and procedures for employee hiring and advancement, fringe benefits, retirement, discipline, and other related activities. All references to masculine gender as used in these rules and regulations are intended to include both male and female.

1.1.1 Disclaimers

Although these rules outline the rights, responsibilities, and benefits of the Town of Bucksport employees, the document does not create legally enforceable rights. The following disclaimers are included to provide notice to that effect.

- This policy is not a contract and nothing in the policy affords employees any contractual rights.
- Where this policy contains descriptions or references to insurance or other benefit plans, the specific provisions of the benefit plan will take precedence and govern should a conflict arise concerning interpretation, application, or benefit level.
- The Town may change, amend, repeal, or modify any of these rules or regulations at any time.

1.2 APPLICABILITY

The Town's workforce consists of both non-union employees and employees organized into collective bargaining units under Maine State Law. These Rules and Regulations govern the relationship between the Town and its non-union employees and may, in certain cases, govern some of the relationship between the Town and its unionized employees. Standardized forms, definition of terms and procedures, as well as certain legal mandates such as equal opportunity, Workers' Compensation, Unemployment Compensation, and safety requirements, among other provisions contained herein, are intended to apply to all employees, unless inconsistent with a collective bargaining agreement.

1.3 SEVERABILITY

If any provision of these Rules and Regulations or the application hereof to any person or circumstances is held invalid, this invalidity does not affect other provisions or applications of these Rules and Regulations which can be given effect without the invalid provision or application, and for this purpose the provisions of these Rules and Regulations are severable.

1.4 ADMINISTRATION OF PERSONNEL RULES AND REGULATIONS

The day-to-day administration of these Rules and Regulations is a function of the Department Heads. Any issue regarding the interpretation or application of these rules should be addressed to the Town Manager. Where appropriate or necessary, the implementation of these Rules and

Regulations shall be supplemented by administrative policies promulgated by the Town Manager, which explains, in detail, the mechanics of implementation and applications thereof.

1.5 TOWN MANAGEMENT AUTHORITY

Except as may otherwise be specifically limited by law or by these rules, the authority to administer and manage the day-to-day operations of the Town Government shall always remain with the Town Manager and his/her various subordinate administrative personnel. This authority shall include the right to take such administrative action as deemed necessary or appropriate to:

- direct the programs of the various departments;
- direct the work force;
- establish work schedules;
- introduce new or improved methods, techniques, or facilities;
- hire, suspend, demote, or discharge for just cause;
- change duties and assignments; and
- promote and maintain discipline.

Equally important to the authority of management is the right to take necessary and appropriate administrative action to uphold the rights and interest of the general citizenry, the Town Council, and employees.

1.6 AMENDING THE PERSONNEL RULES AND REGULATIONS

The Town Manager, as necessary, shall prepare for the Town Council's consideration any appropriate amendments to the Personnel Rules and Regulations. The Town Manager or his/her designee shall endeavor to keep these Rules and Regulations current with respect to accepted personnel practices and state and federal personnel and employment law.

1.7 NON-DISCRIMINATION AND AFFIRMATIVE ACTION

The town shall administer and implement these Rules and Regulations in a manner that shall not discriminate unlawfully against any person because of race, color, religion, sex, national origin, age, sexual orientation, **genetic information**, or physical or mental disability. Furthermore, the Town shall take affirmative action to enhance the opportunities for minority group members, where they may be underutilized.

1.8 RECRUITMENT

The character of the recruitment and selection process for all town positions will vary with the position. Within the limits of time during which a position must be filled, there shall be as wide a search for qualified candidates as is practicable. This may include advertising, open competitive examination, contact with state and other employment offices and contact with special sources of information. It shall be the duty of the Town Manager or the Town Council to seek out the most qualified employees for the Town.

1.8.1 Notice

When the town decides to fill a vacancy, the town will advertise publicly in a newspaper having general circulation in the community and the notice will contain the statement "The Town is an Equal Opportunity Employer." The Town will post notice at the Town Office, Public Safety Building, and Town Garage for five working days.

1.9 SELECTION POLICY

It is the policy of the Town of Bucksport to select the best-qualified applicant for vacant positions and to give consideration to internal candidates. Hiring decisions shall be based upon the ability of the applicant to meet the requirements of the position, the level and degree of prior job related experience, the strength of the applicant's employment history, the applicant's educational background as it specifically relates to the position sought, the quality of references, and such other factors as may be related to the applicant's ability to perform the duties of the position in question.

1.10 PROMOTIONS

Town employees shall be given maximum opportunity for advancement in the service. Present employees shall be given first consideration in filling a vacancy and may be given training opportunities to qualify for promotion, but it is recognized that, from time to time, the good of the service will require that a vacancy be filled from outside the service. Such a decision shall be made only after careful review of the qualifications of all Town employees who apply for the position.

1.11 ANTI-NEPOTISM

No immediate family member of any department head or Town Manager may be employed as a regular full-time or part-time employee to work in his/her department, or in the case of the Town Manager, for the town in general. "Immediate family" means parents, spouse, brother, sister, child, stepchild, adopted child, grandmother, grandfather, mother-in-law, and father-in-law. This requirement does not apply to school department employees. An employee who was employed prior to July 1, 2007 and who is an immediate family member of a department head or Town Manager and employed regularly full-time or part-time, may continue employment with the Town.

1.12 PHYSICAL EXAMS

As a condition of employment, the Town may require a physical exam by a physician of the Town's choice at the expense of the Town.

1.13 COMPENSATION

The Town is committed to providing an equitable and competitive compensation package that will attract and retain well-qualified employees.

1.13.1 TYPES OF CLASSIFICATIONS

- a. **REGULAR FULL-TIME:** A regular full time position shall be year-round in nature and the incumbent shall be required to work the standard workweek of their particular department. He/she is subject to all personnel rules and regulations and receives all benefits and rights as provided by these rules.
- b. **REGULAR PART-TIME:** An employee in this classification works less than the normal workweek, but on a continuing basis. The employee is subject to all personnel rules and regulations. Employees who work more than 20 hours per week are eligible to receive vacation and holiday benefits in proportion to the hours worked, but are not eligible for sick leave, and health, life, or disability insurance.

- c. **TEMPORARY EMPLOYEES:** Temporary employees work on a non-permanent basis usually within a limited time frame. They are not entitled to benefits except those mandated including: Workers' Compensation, Unemployment Compensation, and FICA.
- d. **ON-CALL EMPLOYEES:** On-call employment is an appointment to work on an intermittent and as-needed basis. Employees who are on-call do not have a regular schedule but work as available and as needed by the Town. Such employees are paid only for hours actually worked and receive no other benefits except those mandated, including Workers' Compensation, Unemployment Compensation, and FICA.
- e. **PROJECT EMPLOYMENT:** Project employment is an appointment to work on a particular or special project of limited time duration. Project employees may work a standard workweek or less, shall be paid for hours actually worked and receive no other benefits except those mandated, including Workers' Compensation, Unemployment Compensation, and FICA.

1.14 PERSONNEL RECORDS

Personnel records are maintained for each employee of the Town at the Bucksport Town Office. Any employee may review his/her files, in the presence of the staff member with responsibility for the files, between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday. So as not to cause inconvenience, the employee shall set up an appointment for such a review in advance. Departments may create and maintain supplemental working personnel files for their convenience, but any records of a permanent nature should be included in the centralized Town Office files. In each calendar year, the Town shall provide at no cost, one copy of the entire personnel file when requested in writing by the employee or former employee.

1.14.1 Confidentiality

Employees' personnel files are considered confidential documents. Only those persons with the right to know, or the need to know, may have access to the personnel files.

1.15 PROBATION

Any employee appointed to a regular full-time or part-time position shall be considered on probationary status for the first 180 days of employment. The object of the probationary period is to determine the ability of the employee to adhere to required work standards through a 180-day period of observation and review by the department head.

During the probationary period, the department head, with the approval of the Town Manager, may remove an employee who is unable or unwilling to perform the duties of the position satisfactorily or whose work habits and dependability did not merit his/her continuance of service.

After the first 180 days, the employee shall receive a formal written evaluation by his/her supervisor which will be delivered to the Town Manager. A successful evaluation will result in the employee being transferred to regular status.

1.16 EMPLOYEE CONDUCT

All employees are expected and required to treat the public with promptness, patience, courtesy, and respect. Employees are expected to conduct themselves at all times in a manner that will bring no discredit to their department or to the Town.

1.17 CONFIDENTIALITY POLICY

During the course of their duties, some employees of the Town have access to sensitive personal information about individuals. This information must be kept confidential. Examples include, but are not limited to, medical conditions, labor relations or personnel actions. Employees are expected to respect the confidential nature of such information.

1.18 ATTENDANCE AND LATENESS

Employees shall be at their respective places of work in accordance with general or departmental regulations. In the event of necessary absence because of illness or any other cause, it is the responsibility of employees to see that their department head or supervisor is advised of the reason for absence prior to the start of the workday and on each subsequent day, so that he/she may adjust the daily schedule of work as necessary.

1.19 TRAINING AND EDUCATION

Both the Town and its employees profit from the provisions of educational training opportunities reasonably related to the employee's position for which provisions have been made in the budget. It shall be the responsibility of the Town Manager to assure that Town employees are provided reasonable opportunities for such training in order to improve quality of performance and bring about a more efficient and more effective operation.

1.20 CONFLICT OF INTEREST

No Town employee who is authorized to make purchases shall have any interest, either directly or indirectly, in any contract with the Town unless first authorized by the Town Council.

1.21 GRATUITIES

No Town employee shall accept any gratuities from any person or organization, with whom that employee does town business. A gratuity is any gift, perk, privilege, or item exceeding \$25.00 in value or any amount of currency.

1.22 REIMBURSEMENT OF EXPENSES

Employees shall be reimbursed for reasonable and necessary expenses incurred while carrying out approved, official Town business. Such reimbursement shall be made in accordance with current approved rates upon submission of a standard expense sheet, and signed by the employee's immediate supervisor. Such reimbursement shall not apply to travel between employees's home and the town office. Requests for reimbursement of meals, parking fees, lodging, and registration fees must be accompanied by receipts of same whenever possible.

1.23 TOWN PROPERTY

Employees must not, directly or indirectly, use or allow the use of Town property of any kind for other than official activities. Town-owned telephones may be used by any employee to make or take personal calls, provided that the calls are occasional and brief. Long distance telephone charges incurred for any personal call may not be charged to the Town.

1.24 OUTSIDE COMPENSATION

Any employees receiving payment for services, from non-Town sources, rendered during his/her normal workday and for which workday Town compensation was given, shall turn the entire amount of that compensation over to the Treasurer, Town of Bucksport. This provision does not apply to activities outside the workday, or during periods of vacation.

1.25 OUTSIDE EMPLOYMENT

A Town employee may engage in outside employment. However, no regular full-time or part-time employee may engage in outside employment which in any manner interferes with the proper and effective performance of the duties of their position, results in a conflict of interest, or if it is reasonable to anticipate that such employment may subject the Town to public criticism or embarrassment. Employees must inform their department supervisor of their outside employment. If the Town Manager determines that such outside employment is disadvantageous to the Town, he/she shall notify the employee in writing that the outside employment must be terminated. Any employee who engages in employment outside their regular working hours shall be subject to perform their regular duties first.

The Town shall in no respect be liable nor grant sick leave or disability leave in cases where an employee is injured, or contracts an occupational illness, or develops occupational disability while engaged in outside employment.

1.26 POLITICAL ACTIVITY

While working for the Town, regular full-time or part-time employees shall refrain from seeking or accepting nomination or election to any office in the Town government and from using their influence publicly in any way for or against any candidate for elective office in the Town government. Town employees shall not circulate petitions or campaign literature for elective Town officials, or be in any way concerned with soliciting or receiving subscriptions, contributions, or political service for any person for any political purpose pertaining to the Town government.

This rule is not to be construed to prevent Town employees from beginning, or continuing to be, members of any political organization from attending political meetings, from expressing their views of political matters, or from voting with complete freedom in any local, state, or national election.

1.27 DISCIPLINARY ACTIONS

Whenever, in the supervisor's judgment, employee performance, attitude, work habits, or personal conduct at any time falls below a suitable level, the supervisor shall inform the employee promptly and specifically of such lapses and give counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary action.

Disciplinary action shall consist of the following:

- 1) Verbal warning
- 2) Written warning
- 3) Suspension up to 10 days/ withholding or defer pay increase
- 4) Dismissal

1.27.1 Notification

Suspension or dismissal shall only be done with the prior knowledge of the Town Manager. Notice of such action shall be given in writing to such employee, with a copy to the Town Manager. Such notice shall specify the action taken, the reason therefore, and the extent and duration of the penalty. This notice shall be given to the employee at the time of the disciplinary action. Any employee who feels that he/she has been treated unfairly shall have access to the grievance procedure as outlined in these rules and regulations.

1.28 GRIEVANCE PROCEDURE

The term "grievance" means any dispute between an employee and management concerning the effect, interpretation, application, or claim of breach of violation of Town of Bucksport Employment Rules and Regulations. Excluded from consideration of grievance are those matters pertaining to hiring, promotion of personnel, and compensation adjustments, except that regular employees may appeal a performance evaluation. Every attempt should be made to resolve any dispute as soon as possible to the satisfaction of all parties.

Steps in the grievance procedure shall be as follows:

- 1) An attempt should be made for an oral agreement between the individual and his/her supervisor or department head.
- 2) If an oral agreement is not reached, the aggrieved may within five (5) working days after knowledge of the grievance file a written complaint to the supervisor or department head. The department head or supervisor is required to make a determination of the merits of the complaints and give a written reply within three (3) working days after receiving the grievance.
- 3) If the individual is dissatisfied with the department head or supervisor's written decision, the aggrieved may within ten (10) working days after the decision was rendered, make a formal written appeal to the Town Manager.

In the case that the Town Manager has rendered the decision as outlined by item 2 of this section, the Town Council will upon receipt of the written appeal, return a formal written decision within five (5) working days. In all cases the decision of the Town Manager, or when applicable, the Town Council will be final and binding.

1.29 RESIGNATIONS

An employee may resign from Town service in "good standing." "Good standing" shall mean the submittal of a written notice 14 calendar days in advance of the last day of actual work for non-salary employees and 30 calendar days for salaried employees. Failure of a resigning employee to comply with this rule may be cause for denying future employment with the Town. The Town Manager may permit a shorter period of notice if extenuating circumstances exist. The resignation should be accompanied by a statement by the Department Head as to the resigning employee's service performance and pertinent information concerning the cause of resignation.

The effective date of the employee's termination with the Town is considered to be the last day actually worked. Upon separation from service in "good standing," the Town shall pay all wages owed, as well as earned and/or pro-rated vacation pay, and accumulated sick time due to the employee per the schedule in the Sick Leave Section of the Personnel Policy, if any, on the next regular pay day.

1.30 WORK SCHEDULES

The normal working days in the workweek shall be Monday through Friday. However, it is necessary, owing to the variations in the different services provided by the Town, that there be variations in the hours and days of work per week within different departments. The hours of work, the starting and quitting time, and lunch periods will be established within each department with the Town Manager's approval. The hours of work, the starting and quitting time, or the lunch periods may be changed by mutual agreement of the department head and department employees, subject to approval by the Town Manager. It is understood, however, that salaried employees exempt from

overtime shall accomplish the work assigned to the position regardless of the hours required to do the work; and this policy will be applied within reason.

Those employees not eligible for overtime under this section shall be determined administratively, with a master list maintained in the Manager's office.

It is the responsibility of each department head to insure that the department's work hours are adhered to by all employees.

1.31 OVERTIME

Any time actually worked in excess of forty hours per workweek, except for exempt employees, shall be compensated for by overtime pay at a time and one-half rate. Sick leave, holiday leave, vacation leave, and other forms of paid leave shall not be counted as time worked.

SECTION 2 BENEFITS

2.1 HOLIDAYS

Regular full-time employees of the Town are granted the following holidays with pay on the dates of observance as determined by the State of Maine. In order to be eligible for holiday pay, an employee must work the last scheduled work day prior to the holiday, and the next scheduled work day after the holiday, unless excused by the department's supervisor, or on approved vacation and/or earned sick time.

New Year's Day
Martin Luther King Jr. Day
Washington's Birthday
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans' Day
Thanksgiving
Friday after Thanksgiving
Christmas
Two personal days

2.1.1 Saturday and Sunday Holidays

If a regular holiday falls on a Sunday, the following Monday is considered a holiday; if on a Saturday, the preceding Friday, unless otherwise regulated by law is considered a holiday. Personal days cannot be carried forward into a new fiscal year.

2.1.2 Regular Part-Time Employees Holidays

Regular part-time employees who work 24 or more hours per week are eligible to receive holidays in proportion to the hours worked, provided that the holiday falls on the day that the employee was regularly scheduled to work. Temporary, on-call, and project employees shall not be entitled to paid holidays.

2.1.3 Unpaid Leave of Absence

A person on a leave of absence without pay, suspension, or any other non-pay status on the date of the holiday shall not be entitled to holiday pay.

2.1.4 Holidays Hours Paid For

Holiday pay is to be considered a normal day's wages.

2.1.5 Public Works Director

The Public Works Director will substitute Columbus Day for Veterans' Day.

2.2 VACATION

Each regular full-time or part-time employee shall earn annual vacation time with pay in proportion to the hours worked in accordance with the employee's current term of continuous employment and pursuant to the following schedule:

Completion of one year's service or over - 2 weeks

Completion of eight years service or over - 3 weeks

Completion of fifteen years service or over - 4 weeks

Completion of twenty years service or over - 5 weeks

2.2.1 Absences

Annual vacation shall not be earned during a period an employee is absent from work due to a work related injury, or sick leave, and not working his/her regular work schedule for more than four consecutive weeks, but such absence will not effect years of service.

2.2.2 Request for Vacation

Request for vacation time must be made on properly executed Vacation Request Sheets and approved by the immediate supervisor and in accordance with operational needs. It is the responsibility of the supervisor to insure that the employee has adequate earned vacation hours available to cover the vacation period requested. To maintain high levels of job performance, employees are encouraged to take leave on an annual basis.

As a general rule, annual leave shall not be taken by any employee for more than two (2) consecutive weeks. Vacation requests in excess of two (2) weeks must be requested well in advance of the desired time and may be denied if such time off constitutes a hardship to the Town. The supervisor's determination as to scheduling of annual leave shall be final.

2.2.3 Vacation Leave

In case a holiday falls within the vacation period, the vacation time will not be charged for that day as long as the employee is eligible for holiday pay.

2.2.4 Earning and Accrual

Earned annual vacation leave will be prorated on a monthly basis and will accrue not to exceed twenty-five days (25) at any one time. After the maximum annual leave accumulation limit has been reached, the employee shall forfeit any right to accumulate additional leave until he/she has been charged with at least a part of the leave so accumulated. It will be the responsibility of every employee to be aware of his/her accumulated leave.

No employee shall receive payment in lieu of annual leave other than upon separation from the Town. Any employee who separates from town service, and is subsequently rehired, shall begin vacation accrual at the minimum rate set forth above.

2.2.5 Vacation Leave Restrictions

No regular full-time or part-time employee is eligible to take annual vacation leave with pay until completion of their first six months of continuous service with the Town. No employee may take any vacation leave that has not been earned or while the employee is on suspension or on leave of absence without pay.

2.2.6 Payment upon Separation or Death

Accumulated vacation leave, subject to the maximum allowed, shall be paid to an employee upon separation after one year's employment or upon death with no minimum employment, to his or her beneficiary. The payment will be made in one lump sum.

2.3 SICK LEAVE

Paid sick leave for each regular full-time employee is earned at the rate of fifteen (15) days per year accrued on a prorated monthly basis. No employees shall be eligible for paid sick leave unless accrued. Sick leave will accrue, but will not be paid until a regular, full-time employee has completed six (6) months of continuous service.

2.3.1 Use of Sick Leave

Paid sick leave may be used only in the following cases:

- a. Personal illness or physical incapacity of such a degree as to render the employee unable to perform the work assigned position or other work in the department. Sick leave shall include only those instances when an employee is confined by illness or physical incapacity to his/her home, or is hospitalized, or other justifiable situations. Accrued sick leave may be used upon the birth of a child with a doctor's certification stating that the employee is capable of performing her duties.
- b. Attending to members of the employee's immediate family (spouse, children, step children) who are ill and require care by the employee, if approved by the Town Manager, meets the requirements of the Family Medical Leave, and a doctor's certificate is provided. Sick leave for this purpose is not to exceed forty (40) hours per fiscal year.
- c. Attending routine appointments that can only be scheduled during work times relating to an employee's personnel health care or preventive care such as doctors, dentists or other professional health providers. The employee shall immediately return to his/her place of work with the town once the appointment is completed, if time remains.
- d. Sick leave may be used in accordance with the Family Medical Leave provision as specified in this Section.

2.3.2 Computation of Sick Leave

Sick leave will be accrued to the employee at a rate of one and one-quarter (1 1/4) days per calendar month of continuing full-time service to the Town. Sick leave will not be accrued by employees during the following:

- a. Leave absence without pay pursuant to Section 2.5 of this policy.
- b. Suspension without pay.
- c. Absent from work due to a work related injury or sick leave and not working his/her regular work schedule for more than four consecutive weeks. Unused sick leave may accumulate from year to year, but shall not exceed ninety (90) days.

2.3.3 Sick Leave Bonus

Full-time employees who use less than six (6) days of sick leave during the fiscal year (July to June) shall receive one-half (1/2) of any balance under six (6) days as earned time off to be taken the following fiscal year with the approval of the supervisor, and at times when convenient for the smooth operation of the Department. Time taken under this provision will be charged to accumulated sick time, but will not be used to determine eligibility under this section. An employee must work the entire fiscal year in order to qualify for these bonus hours and all earned time under this section cannot be carried forward into a new fiscal year.

2.3.4 Sick Leave Request

The employee shall have the responsibility of notifying the immediate supervisor or Department Head promptly of any illness, disability, or medical appointment and shall keep his/her supervisor advised of the status of the illness, disability or medical appointment. Proof of illness or disability may be required at any time by the supervisor or Town Manager at the employee's cost. Falsification of such proof of sick leave may be justifiable cause for dismissal.

Sick leave shall not be paid on any paid holiday established under these rules.

Sick leave granted shall be recorded biweekly on the payroll records of the Town. The supervisor shall review such leave records periodically and investigate any cases when questions of eligibility or abuse arise.

2.3.5 Extended Sick Time Requirement

After any extended sick leave it may be required by the supervisor that the absent employee obtain a physician's statement, at his or her own cost, stating that he or she is physically capable to return to normal duty. It shall be the responsibility of the department head to insure that this requirement is appropriately followed before the employee is allowed to return to his or her regular duties.

2.3.6 Entitlement upon Separation, Retirement or Death

At the time of separation by the employee, accumulated sick leave shall be paid to the employee as follows:

- 10 years of service and in good standing 25%
- 20 years of service or over and in good standing 40%
- Upon retirement or death 40%

2.4 FAMILY MEDICAL LEAVE

An employee who has been employed by the Town of Bucksport for 12 months (this does not need to be consecutive) and who has worked at least 1,250 hours during the year preceding the start of the leave, is entitled to a family medical leave of up to twelve (12) weeks per fiscal year for the birth, adoption of a child 16 years of age or less, or serious illness of the employee, child, spouse, or parent. Serious illness means an accident or disease or condition that:

- (1) poses imminent danger of death;
- (2) requires hospitalization involving an organ transplant, limb amputation, or other procedure of similar severity; or
- (3) any mental or physical condition that requires constant in-home care.

Please refer to the Town Manager's office for further details or clarification.

2.4.1 Eligibility

To be eligible for a family medical leave, the employee must give at least 30 days notice of the intended date upon which family medical leave will commence and terminate, unless the employee is prevented from giving notice because use of a medical emergency. The employee requesting family medical leave must do so on a preprinted form available in the Town Manager's office.

2.4.2 Doctor's Statement

The Town may require certification from a physician to verify the amount of leave requested by the employee.

2.4.3 Pay and Benefits While on Family Medical Leave

Family medical leave is without pay. If the employee is enrolled in group medical insurance prior to utilizing unpaid leave, the Town of Bucksport will pay for the employer's share of the medical insurance premium for the period of the unpaid family medical leave; said period not to exceed 12 weeks. The employee's share of medical insurance, life insurance, income protection, and retirement benefits will continue during the period of unpaid leave at the cost of the employee.

2.4.4 Use of Accrued Time for Family Medical Leave

The employee may use accrued vacation, earn sick time, and sick leave in accordance with the policies concerning such leaves, to cover his/her absences related to family medical leave; however, the total amount of family medical leave may not exceed twelve (12) weeks per fiscal year of which no more than 40 hours per fiscal year may be used for a qualifying family member.

2.4.5 Holidays

Vacation, sick leave, do not accrue during family medical leave period if it exceeds four consecutive weeks.

2.4.6 Reinstatement

Upon the end of the family medical leave, an employee will be restored to the position occupied by the employee immediately prior to the commencement of the leave, or to an equivalent position with the same employee benefits and pay as existed immediately prior to the commencement of the leave, except in the event of conditions unrelated to the employee's taking of a family medical leave which prevent the restoration to the same or equivalent position.

2.4.7 Return to work

An employee should return to work from the family medical leave no later than the first working day following the expiration of the leave. If the employee has not returned at the expiration of their leave, his/her termination date will be the last day she/he was entitled to group coverage.

2.4.8 Reduced Schedule

An employee may take leave on an intermittent basis or by working a reduced schedule with prior written approval by the Town Manager.

2.5 LEAVE OF ABSENCE

An employee of regular standing may be granted a leave of absence without pay by the Town Manager on recommendation of the department head, with such leave not to exceed one year in length. The granting of the leave shall protect the employee's existing continuous service for the leave period, but shall not count as service time for Maine State Retirement, nor shall vacation or sick leave accrue during the absence, nor will the employee receive pay for municipal holidays.

2.6 MILITARY LEAVE

A full-time employee who, by reason of membership in one of the United States Military Reserve Components, or National Guard, is required to perform field duty or attend training sessions shall be granted leave of absence upon presentation of a copy of official orders. Such leave may be with pay up to two (2) workweeks in any one calendar year. Leave granted under this section shall not be charged against the employee's accumulated annual leave.

To be eligible for two (2) weeks paid leave, the employee shall reimburse the Town in an amount up to the total amount of compensation received by the employee from the military during such paid leave up to the amount of pay received from the Town. Any additional leave shall be without pay.

All employees who take leave in accordance with this section shall notify their Department Head or supervisor within forty-eight (48) hours after being notified by the appropriate authority as to the dates they shall be absent from their employment.

2.6.1 Rights of Reemployment

Military leave and rights of re-employment after such leave are available to employees in accordance with applicable Federal and State law. Any person eligible for re-employment under such law shall be restored with no loss of seniority.

2.7 JURY DUTY

A leave of absence with pay shall be granted to regular employees required to perform jury duty. Such leave of absence shall not be charged against the employee's accumulated annual leave. The Town shall pay the difference between the total compensation received from the Court for the jury duty and the employee's regular rate of pay.

Employees required to report for jury duty shall inform their supervisor as soon as possible of any notice to report or subsequent obligations. Further, if not required by the Court for jury duty, the employee shall immediately return to his/her place of work with the town.

2.8 BEREAVEMENT LEAVE

Special leave with pay shall be granted to regular employees for up to three days for absence caused by the death of a member of the immediate family. "Immediate family" means parents, spouse, brother, sister, child, stepchild, grandmother, grandfather, mother-in-law, grandchild, and father-in-law. Special exceptions to this rule may be made by the Town Manager.

2.9 ALL LEAVE UTILIZED

When all leave, including sick and vacation leave, has been utilized by an employee, salary payments to the employee shall cease immediately. The Town will no longer pay any amount toward life and medical insurance. The employee will then have the opportunity to continue the benefits by paying the cost themselves.

2.10 HEALTH INSURANCE

The Town offers group hospital, surgical, and medical benefits to employees in regular full-time positions. In addition to traditional health insurance, the Town may also offer a non-traditional plan, such as a Health Maintenance Organization (HMO). Employees should consult their health insurance booklets for details on their chosen plan. The town and the employees share in the cost of the premium with the employee's share being contributed through payroll deduction. Dependant coverage (+19) is available, if so elected. The cost-sharing levels for plans offered by the Town shall be determined on an annual basis by the Town Council. The Town's contribution rate for HMO coverage shall be no higher than its contribution toward traditional coverage.

2.10.1 Effective Date

Town participation in the cost of coverage begins the first full month following the employee's date of hire. Coverage by the health insurance plan is not automatic and employees must initiate a request for benefits according to their eligibility in order to obtain coverage.

2.10.2 Spouse Coverage

The Town shall not share in the cost of the premium for a spouse who is afforded health insurance through his/her employer.

2.11 LIFE INSURANCE

The Town will provide regular full-time employees with Basic, Supplemental and/or Dependent Life Insurance through Maine State Retirement System.

2.12 CAFETERIA PLAN

The Town of Bucksport will provide a premium conversion cafeteria plan for eligible full-time employees. Only employee benefit account dollars are provided for under this plan. Employees must elect to participate on an annual basis.

2.13 WORKER'S COMPENSATION

Workers' Compensation benefits are governed by State Law as supplemented herein. Such benefits may be provided when an employee has sustained a job-related injury or illness. All job-related injuries and illnesses shall be immediately reported to the employee's supervisor who, with the employee's assistance, shall submit the first report of injury.

Supervisors are responsible for reporting an injury within twenty-four (24) hours of its occurrence, or their knowledge of the occurrence, regardless of the timing of the employee's first written report.

Full-time employees are eligible to receive an amount equal to but not more than their regular net pay and benefits for a period not to exceed eight weeks of normal work time. If Workers' Compensation coverage continues after this period, then the employee shall receive pay in accordance with State Law and may receive benefits as may be otherwise described in these rules and Regulations.

2.13.1 One Year Absence

After one (1) year of absence from the date of initial work related injury, the employee shall be examined by a physician mutually acceptable to the Town and to the employee for the purpose of determining if the employee will regain the ability to perform the normal duties of the position for which he/she was hired. If the physician determines that the employee will not be able to return to his/her normal duties, the Town shall have the right to evaluate or determine the employee's employment status.

2.14 UNEMPLOYMENT COMPENSATION

Unemployment compensation benefits are governed by State Law. The Town contributes these benefits to employees in accordance with the Unemployment Compensation Insurance laws.

2.15 RETIREMENT

The following retirement plans are available as follows:

2.15.1 Social Security

The Town is a participating member of the Social Security Retirement System. Any person who becomes an employee of the Town must participate as a condition of employment.

2.15.2 Maine State Retirement System

The Town is a participating member of the Consolidated Maine State Retirement Program. Only regular full-time and regular part-time employees may participate in the plan. Employees who elect to participate will be required to contribute the employee share as set by the system.

2.15.3 Deferred Compensation Plan

The Town is a participating member of the International City Management Association-Retirement Corporation (ICMA-RC a Section 457 deferred compensation plan). Participation in this plan is voluntary and may allow qualifying employees the option of deferring a portion of their salary to be invested by the plan administrators, which will be paid back to the employee at a future date.

2.16 DISABILITY INSURANCE

The Town offers disability insurance coverage to regular full-time employees. The cost of this insurance shall be borne by the employer. Employees whose premiums are paid by the employer cannot exceed the regular week's pay for any combination of sick leave pay and/or income protection.

2.17 POLICY ON HARASSMENT

It is the policy of the Town of Bucksport that all our employees should be able to work in an environment free from all forms of harassment. Harassment, as defined by this policy, is prohibited. This policy refers not only to supervisor-subordinate actions, but also to actions between co-workers. Any complaints of harassment will be investigated promptly.

2.17.1 Definition

1. Sexual harassment is the attempt to control, influence, or affect the career, salary, or job of an individual in exchange for sexual favors. Sexual harassment can also be conducted which creates a hostile or offensive work environment, or unreasonably interferes with a person's ability to perform his/her job. Sexual harassment is an extremely serious matter. It is prohibited in the workplace by any person, and in any form.

Specific conduct which is prohibited includes, but is not limited to:

- a. Threats or insinuations, implicit or explicit, that any employee's refusal to submit to sexual advances will adversely affect the employee's retention, evaluation, wages, promotion, duties, or any other condition of employment;
 - b. Unwelcome sexual flirtations, advances or propositions;
 - c. Verbal or written abuse of a sexual nature;
 - d. Graphic verbal comments about an individual's body;
 - e. Sexually degrading words used to describe an individual; or
 - f. The display in the workplace of sexually suggestive objects or pictures.
2. Verbal Harassment is derogatory or vulgar comments regarding a person's sex, religion, age, ethnic origins, physical appearance, or the distribution of written or graphic materials having such an effect, are prohibited. Any employee who believes he/she has been the subject of such harassment should report the alleged conduct to their department head or the Town Manager. Any department head or employee who is found, after appropriate investigation, to have engaged in any harassment will be subject to discipline, including discharge.

2.17.2 Notification

The employer will provide, annually, a copy of the Town's policy regarding harassment to all employees, provide training to all new employees on harassment before their first anniversary of employment, and provide training to all supervisors on their responsibility to take immediate and corrective action in addressing sexual harassment complaints.

2.17.3 Anti-retaliation Statement

Under the law, you may not be punished or penalized in any way for reporting, complaining about, or filing a claim concerning unlawful harassment, regardless of the nature or category, or for cooperating with or testifying in any proceeding brought by anyone else. An employee who believes has been retaliated against for opposing or reporting what he/she reasonably believes to be unlawful harassment, or cooperating in any investigation or the same, may follow the same Internal Complaint Procedure set forth below. The Town will not tolerate any act of unlawful retaliation against employees who have reported, complained about, or filed a complaint of unlawful harassment.

2.17.4 Reporting a Complaint

Any employee who believes he/she has been the subject of harassment should report all alleged acts to their department head or the Town Manager. Any department head or employee who is found after appropriate investigation to have engaged in harassment will be subject to discipline, up to and including discharge. **An employee may also file a complaint with the Maine Human Rights Commission. The commission may be contacted at 51 State House Station, Augusta, Maine 04333-0051. The contact phone number and website address for the Commission may be referenced from notices that are posted on the employee bulletin boards located at the Bucksport Public Safety Building, Bucksport Town Office, Bucksport Town Garage, Bucksport Wastewater Facility, and Bucksport Transfer Station**

2.18 WORKPLACE SMOKING POLICY

2.18.1 Smoking Prohibited

Smoking shall be prohibited within any municipal or school building and on any school grounds.

Article 3

This article has no content.

Article 4 Safety Policies and Regulations

SEC. 2-401 Responsibilities

The Town Manager is responsible for the development, organization, coordination and implementation of the safety program. Responsibilities also include work site inspections, hazard reduction and/or elimination and accident/injury investigation, reporting and management. The Town Manager will advise Department Heads of unsafe conditions, problems related to accident prevention and recommendations for loss control.

Department Head Supervisors are responsible for fulfillment of departmental goals and objectives as well as health and welfare of each employee in the department. In the adopted safety policy the highest priority has been placed on employee safety which becomes the responsibility of the respective administration. It is normal practice for Assistants/Foremen to be delegated the authority to carry out safety policy in their departments but the responsibility for meeting objectives and the protection of employees in performance of their assignments cannot be transferred. Department Heads or Assistants/Foremen will assume responsibility of thoroughly instructing their personnel in the safe practice to be observed in their work situation. They will consistently enforce safety standards and will act positively to eliminate potential hazards within the activities under their jurisdiction and they will set the example of good safety practice in all shares of their endeavors.

The principle duty of Department Heads and Assistants/Foremen is in discharging their responsibilities as follows:

1. Enforcing all safety regulations in effect and make employees aware that violations of safety rules will not be tolerated.
2. Making sure all injuries are reported promptly and treated properly and all accidents are reported even if an injury is not apparent.
3. Conducting thorough investigations of all accidents and taking necessary steps to prevent reoccurrence through employee safety education, operating procedures or modification of equipment.
4. Providing employees with complete safety instructions regarding their duties prior to the employees actually starting to work.
5. Conducting regular safety checks, including a careful examination of all new and relocated equipment before it is placed in operation.
6. Properly maintaining equipment and issuing instructions for the elimination of fire and safety hazards.
7. Continuously inspecting for unsafe practices and conditions and promptly undertaking any necessary corrective action.
8. Developing and administering an effective program of good housekeeping and maintaining high standards of personal and operational cleanliness throughout all operations.

9. Providing safety equipment and protective devices for each job based on knowledge of applicable standards or on recommendation of the Town Manager, Safety Committee or outside sources.
10. Conducting safety meetings and encouraging the use of employee safety suggestions.
11. Giving full support to all safety procedures, activities, and programs.

Employees as part of the safety program are expected to place safe work practices and to identify unsafe conditions as the highest priority while performing assigned daily tasks. Each employee's safety responsibilities must include but are not limited to the following:

1. Following State, Federal and Municipal safety rules, regulations and laws.
2. Using the safety equipment which has been provided for use in performing daily work assignments.
3. Wearing the prescribed uniform and safety shoes as required.
4. Not operating equipment for which training or orientation has not been received.
5. Warning coworkers of unsafe conditions or practices they are engaged in which could lead to or cause an accident.
6. Reporting defective equipment immediately to Department Heads or Assigned Assistants or Foremen.
7. Reporting dangerous or unsafe conditions that exist in the workplace as well as throughout the Municipality. These would include defective sidewalks, broken curbs, hanging tree limbs, open manholes, sunken basins and sewers; missing or damaged traffic signs.
8. Reporting of all injuries and accidents regardless of severity.
9. Protection of unsafe conditions resulting from municipality work that could present a hazard to the public.
10. Taking care not to abuse tools and equipment so that those items will be in usable condition for as long as possible as well as to ensure that they are in the best possible condition while being used.

SEC. 2-402 Safety Equipment

It is the municipality's intent to provide all necessary personal protective equipment required in performing routine operations. Those items include but are not limited to:

1. Safety shoes*
2. Rain gear**
3. Gloves*
4. Boots*
5. Protective head gear
6. Eye protection (face shields, safety glasses, goggles)
7. Hearing protection
8. Visibility vest
9. Welding shields
10. Respiratory protection
11. Special application tools

(* to be purchased by each employee with annual clothing allowance)

(** to be provided by Police Annual Clothing Allowance)

Requests for equipment not immediately available should be directed to the responsible Department Head. Use of required personal protective equipment is the employee's responsibility and ignoring this requirement will not be tolerated.

SEC. 2-403 Training

Each Department Head has the responsibility of providing on-the-job training to each employee on the topics that will enable the employee to do his or her job safely and efficiently. The training shall include but is not limited to:

1. Orientation to departmental and overall municipal safety and health rules.
2. Instruction in State and Federal safety regulations specific to particular tasks.
3. Procedures for reporting on the job injuries and Worker's Compensation claims.
4. Requirements for use of vehicles.
5. Reporting of unsafe conditions.
6. Reviewing Hazardous Chemical Ordinance and procedures.

SEC. 2-404 Accident, Injury and Incident Reporting

In the event of accident or injury to a municipal employee, injury to a citizen by municipal operations, or damages to property related to municipal operations, the Town Manager and Department Head will be notified immediately. This includes any fatalities occurring on municipal property whether an employee or not. The Department Head is responsible for proper handling of the details of such cases. This requires those involved to remain calm and in control of the situation, to make the necessary request for emergency assistance and to collect vital information so that effective case management can take place. The home and work phone number of the Town Manager will be available for all Department Heads or Assistants. The home phone number of the Department Head will also be available to all employees of the Department. There should be no hesitation or reluctance in calling for information or to advise of an unusual or serious circumstance.

SEC. 2-405 On The Job Procedures

The following procedures apply to all employees, both full and part time. In addition to these procedures department rules may apply. Whenever questions arise which are not covered by the outlined procedures, these questions should be referred to the Town Manager.

1. The employee will report an injury to the Department Head or the Assistant/Foreman immediately. If the injury is serious or the extent of injury is unknown, medical attention should be sought immediately.
2. Employees Report of Injury or Illness MUST be submitted within twenty-four (24) hours after the occurrence to the Payroll Clerk.
3. In addition to the first report of injury an accident investigation report must be completed and signed by the Department Head. The Town Manager will receive a copy within twenty-four (24) hours after the incident occurred. Investigation reports will be discussed by the Safety Committee.

SEC. 2-406 Purchasing Procedures and Safety

The Department Head must make sure that equipment commodities and services that are purchased for use by municipal employees conform to industry standards as well as Federal and State safety manufacturing requirements.

SEC. 2-407 Driving Rules and Regulations

All drivers of municipal vehicles and those using their personal vehicles in pursuit of municipal business will comply with all applicable laws of the State as well as any additional regulations of the municipality. The Town Manager's office will be responsible for checking annually all driver records for employees who operate town owned vehicles or equipment or who use their personal vehicles for town business.

1. Municipal vehicles are to be parked in accordance with all municipal parking regulations with the exception of emergencies.
2. No municipal vehicle is to be left unattended with ignition key left in the ignition.
3. All municipal vehicles should be locked when not in use.
4. Before initial use of any vehicle each day, the driver will inspect the vehicle for damage, inoperable lights, loose hardware, under-inflated tires, or any other condition which may create an unsafe situation.
5. Any deficiency encountered will be reported to the Department Head or designated supervisor immediately. It will be the Department Head's or assigned supervisor's responsibility to insure that appropriate action is taken to correct the problem.
6. Safety belts will be worn at all times by drivers and passengers, for all equipment and vehicles equipped with safety belts.
7. Vehicles with movable windshields are to have these windshields in the up position while in operation.
8. Protective or detachable doors may not be removed from a vehicle unless it is a necessity in order to perform the job and mirrors remain usable when the doors are off. Similarly, vehicle doors are not to be tied open.
9. Turn signals will be utilized by all drivers at all times in ample time to warn oncoming or following vehicles of the intent.
10. Drivers will insure that the windows, headlights, emergency lights, taillights and windshield wipers are clean and operational at all times.
11. If the vehicle does not have a tailgate but is loaded, the driver of the vehicle will insure that the load is secure on the truck, and that overhangs are properly marked in accordance with applicable State Laws.
12. Triangular orange-colored slow moving vehicle signs will be displayed on the rear of the vehicle.
13. No vehicle with an obstructed view to the rear will be backed unless an observer signals that it is safe to do so or the vehicle has a reverse signal and audible alarm which can be heard above the surrounding noise level. All trucks, and equipment will be equipped with audible backup alarms. Employees shall not switch off, remove or render inoperable any audible or visual safety device. Drivers will visually inspect the area around a parked vehicle before moving the vehicle.

14. No private vehicle will be towed or pushed at any time by any publicly owned vehicle or equipment.
15. The driver shall be responsible for assuring that all passengers are seated and properly secured before moving the vehicle. Passengers will not ride on a vehicle unless a seat is provided by the manufacturer. Under no circumstances shall passengers ride on fenders, running boards, tops of vehicles, or any place not designed for passengers.
16. Drivers will carry their valid State drivers license at all times when operating motor vehicles. All restrictions noted on the driver's license will be adhered to. No employee will be allowed to operate a vehicle which he or she is not licensed to operate.
17. Each employee who operates a vehicle regularly or occasionally is required to report any suspension or revocation of his or her license to the Department Head.
18. Posted speed limits will be strictly adhered to.
19. During periods of limited visibility or any time windshield wipers are in use, vehicle headlights will be turned on.
20. The consumption, use and/or possession of alcoholic beverages or illegal drugs on Town property or while on duty is strictly forbidden. Employees shall not report to work while under the influence of alcohol or drugs.
21. Trailers are to be fastened securely to hitches. Safety chains will be crossed under the hitch and securely fastened before moving the vehicle.
22. All items to be transported either in a truck or trailer which may move around during transport will be secured.
23. No more than three (3) persons will ride in the front seat of any vehicle. Where only two (2) single seats exist there is to be only one (1) rider per seat.
24. An employee who uses a personal or town owned vehicle or equipment is prohibited from using a cellular phone, hands on, while driving or operating on duty unless the vehicle or equipment is stationary. A cellular phone is any device that makes or receives phone calls, leaves messages, sends text messages, surfs the Internet or downloads and allows for the reading of and responding to email whether the device is town supplied or personally owned.

SEC. 2-408 Use of Hard Hats

Hard hats will be worn by municipal personnel when involved in the following situations:

1. Present for any reasons on construction sites where hard hat signs are posted.
2. All water, sewer, street and road construction operations, except when operator of equipment or truck driver is inside the cab. This does not apply to passengers.
3. All forestry operations including cutting brush along the roadside.
4. Any task by any municipal employee where potential for head injury exists.
5. In locations damaged by disaster, fire, flood or other causes which could result in structural damage or falling material.
6. All Department Heads and the Town Manager involved in the above types of work.
7. All work where personnel are working above other workers or where any other potential head injury may occur.

SEC. 2-409 Use of Hearing Protection

Hearing protection in the form of ear plugs or muff style hearing protectors will be worn when known noise levels exceed eighty-five (85) decibels (db.). This includes but is not limited to the following tasks: Chain saw work, jackhammer operations, prolonged operations of heavy equipment, use of wood chipper, etc.

SEC. 2-410 Use of Steel-toed Shoes

Steel toed work shoes of good quality leather shall be worn by all employees. At no time will sneakers, sandals, or other forms of unpermitted footwear be worn.

SEC. 2-411 Use of Eye and Face Protection

Employees shall wear eye and face protection when machines or operations present potential eye or face injury from physical, chemical or radiation agents. This includes but is not limited to the following tasks: working with rotary power tools, abrasive wheels, pneumatic tools, chain saw work, handling chemicals, working with wood chipper, using baler or glass and can crusher, etc.

SEC. 2-412 Maintenance of Facilities

1. All aisles and passageways shall be kept clear to provide free and safe movement of material handling equipment or employees. Such areas shall be kept in good repair. Aisles, doorways, fronts of electrical panels, and access areas to emergency equipment such as fire extinguishers and alarms will not be used for storage and will be kept clear at all times.
2. Oil, grease, gasoline, and other chemical products spilled on floors and walkways shall be cleaned up immediately. Approved noncombustible absorbent shall be used to dry up spills before cleaning. Flammable liquids shall not be used. Loose materials or waste shall not be allowed to accumulate in the work area. Adequate housekeeping shall be maintained to assure freedom from slip, trip and fall type hazards.
3. Disposable combustible waste and flammable materials subject to spontaneous combustion shall only be deposited in noncombustible metal containers with self-closing lids.
4. Any source of ignition, including smoking, is prohibited in any area where a match, flame, spark or careless disposal of lighted material constitutes a fire hazard.
5. Flammable or combustible liquids shall not be stored in areas in use for exits, stairways, or normally used for the safe passage of people.

SEC. 2-413 Operations in the Public Way

Whenever operations are taking place in streets, on sidewalks, or other places where citizens as well as employees may be endangered, the Department Head or his/her assignee is as responsible for the safety of the public in this type of operation as for getting the job done. The Department Head or his/her assignee must spend ample time before, during and after the work to protect employees and the public from the hazards created by this work. The following procedures are to be followed:

1. If street construction or repair work is to be done, preparation will be made to assure vehicle/pedestrian safety before such work is allowed.
2. If traffic is affected by the operation, proper signing must be used to warn in advance of the work area and traffic control signs in and around the affected area are to be correctly placed and maintained through the period when work is being performed and traffic obstructions exist.
3. Where barricades and signs are used overnight, Department Heads will examine the work area for proper placement at the end of the work day.
4. Lighted barricades will be used whenever possible for overnight protection.
5. Where traffic must be periodically stopped or obstructed by workers or equipment in the traveled portion of a roadway, a flagman wearing a protective vest will be stationed.
6. All workers in or near the roadway will wear reflective vests or cross straps on their clothing while at the work site.
7. Flagmen will be used to slow or direct traffic where the approach to the work area does not provide adequate visibility to drivers.
8. In any case where streets are significantly obstructed or closed for any period of time, the Police Department and Fire Department will be notified of the situation and told approximately how long the closure will be in effect.
9. If pedestrian traffic must be routed off sidewalks and into the street, protection will be provided by cones, barricades and signs to guard from vehicular traffic.
10. Holes in the sidewalk or parkway which must be left open will be covered whenever possible along with perimeter protection. Every possible means of preventing accidental entry into the hole should be used.
11. When an unusual situation exists that cannot be easily resolved or when personal injury or damage to equipment or property occurs as a result of operation, the responsible Department Head should be contacted.
12. Employees working on the roadside shall post "Men Working" signs in both directions to inform oncoming traffic of the work area.

SEC. 2-414 Chlorine Handling and Use

All personnel involved with using chlorine must have a clear understanding of the consequences of a chlorine leak and its effects on the body.

All personnel involved must be aware of the operation of the detection and alarm system within a chlorine-affected space - how it functions and what to do when an alarm does sound.

All personnel involved must be trained in the proper handling and use of the required safety equipment available and ready for use, such as self-contained breathing apparatus.

All personnel must be made aware that chlorine tank changing and any chlorine tank or piping repair must never be attempted alone.

The attending employee must be made aware that if the person within the chlorine-affected space is rendered helpless the first thing to do is to communicate with the Fire Department. A rescue should never be attempted without a self-contained breathing apparatus that has been tested on site.

The documented confined chlorine emergency entry procedure must be reviewed step by step and each involved party must be asked to perform the procedure properly, providing all necessary equipment.

Each new employee no matter how experienced must be trained in this chlorine emergency entry procedure and have performed it at a training session before being allowed to enter a chlorine space.

SEC. 2-414A Handling and Use of Sodium Metabisulfite

All personnel involved with using sodium metabisulfite must have a clear understanding of the consequences for handling and using metabisulfite. Personnel involved must be trained in the proper handling and use of the required equipment needed to handle and use metabisulfite.

SEC. 2-415 Use of Chain Saws

All personnel involved in using a chain saw will be required to:

1. Wear hard toed shoes
2. Wear approved chin guard (fiberglass)
3. Wear gloves
4. Wear protective eye glasses or goggles
5. Wear hearing protection.

SEC. 2-416 Excavations

The following requirements must be adhered to when any employee is involved in excavation:

1. Prior to beginning excavation a competent person will prepare a written pre-plan of the site to determine the conditions, to identify the equipment necessary, to assure the safety of each employee and to make sure the OSHA regulations are followed. A copy of all pre-plans will be maintained at the Town Garage.
2. Daily inspections of excavations, the adjacent areas and protective system shall be made by a competent person for evidence of a situation that could result in the possible cave-ins, indication of failure of protective system, hazardous atmosphere or other hazardous conditions.
3. The estimated location of utility installations such as water, telephone, fuel, electric or underground installations that reasonable may be expected to be encountered during excavation work shall be determined prior to opening an excavation.
4. Utility companies or owners shall be contacted within established or customary local response times, advised of the proposed work and asked to establish the

- location of the utility underground installations prior to the start of actual excavation.
5. Require testing of any excavations greater than four (4) feet in depth as well as ones where oxygen deficiency or a hazardous atmosphere exists or could reasonably be expected to exist before an employee enters the excavation. If hazardous conditions exist, emergency rescue equipment such as breathing apparatus, a safety harness and line shall be readily available.
 6. Utilize a shoring system, trench box or sloping sides which meets OSHA regulations whenever the sides are more than five (5) feet and deemed by a competent person to be a risk to employees.
 7. If water has accumulated or is accumulating, use adequate equipment to control water from accumulating. The equipment and operations of the equipment must be monitored by a competent person to ensure proper use.
 8. When the trench is four (4) feet or more an adequate means of exit, such as a ladder or steps shall be provided and located so as to require no more than twenty-five (25) feet of lateral travel.
 9. Boulders, stumps or other materials within two (2) feet of the trench that may roll or slide into the excavation shall be removed or made safe.
 10. Guardrails, fences or other barricades shall be placed at all excavations which are adjacent to paths, walkways, sidewalks, driveways or other pedestrian or vehicular thoroughfares. Adequate barriers shall be provided at all remotely located excavations.
 11. Excavations or hoisting equipment shall not be allowed to raise, lower or swing loads over workmen in the excavation.

Sec.2-416A Fire Extinguishers

All fire extinguishers located within town owned buildings, working equipment or vehicles will be visually inspected each month. In case of a working vehicle or equipment, the primary driver or operator will be responsible to complete the monthly visual inspection. Within town owned buildings, the Public Works Director will be responsible to do the visual check at the town garage, the operators at the transfer station and waste water treatment plant, the janitor at the town office and public safety building and the Recreation Director at the swimming pool bath house and skating rink building. The monthly visual inspection will be determine whether the fire extinguishers have been damaged or discharged. Such inspection will be noted on a tag attached to the extinguisher. Yearly inspections of fire extinguishers will be completed by the Fire Chief or his designee. Tags attached to each fire extinguisher will identify the name of the person from the Fire Department who conducted the test and the date of inspection.

Employees who might be expected to use a fire extinguisher include all permanent employees at the wastewater treatment facility, recreation department buildings, transfer station, highway department, police officers and firemen. Employees will be provided with an educational program to familiarize the employee with the general principles of fire extinguishers use and the hazards involved in incipient stage fire fighting. The

training will be provided annually thereafter. The Fire Chief or his designee will be responsible to provide such training.

SEC. 2-416B Overhead and Floor Cranes

Daily, before operation or monthly if the crane has not been used, inspect all functional operational mechanisms of overhead or floor cranes for excessive wear and for maladjustment that would interfere with proper operation. Inspect hooks to be assured that those with cracks having more than 15% in excess of normal throat opening or twisted more than 10 degrees from the plane of the unbent hook should be taken out of service. Inspect hoist chains and end connections for excessive wear, twist, distorted links, or stretch beyond the manufacturer's recommendations. Records of daily and monthly inspections must be kept that include at least the date, the inspectors signature and items checked. Daily and monthly inspections sheets will be provided by the town for use of inspection purposes.

SEC. 2-417 Work on Truck Bodies

No truck body should be worked on in a lifted up position unless it has been blocked so that it cannot come down.

SEC. 2-418 Mower/Yard Work

Employees operating or working in the immediate area where operations of gasoline or electricity driven brush trimmers or weed cutters are being used shall wear protective clothing. This shall include, but not be limited to, full length pants and appropriate safety footwear.

Employees shall not reach into the discharge chute or under the safety shroud of any operating hand-powered or "ride-on" power mower. Mowers will be completely stopped and switched off or spark plug wire removed prior to performing maintenance or inspection work in the cutting area of the mower. Under no conditions will employees remove any safety equipment from powered mowers.

SEC. 2-419 Operating Balers or Compactors

No baler or compactor will be operated without having in operation all the safety switches and stops which were part of the compactor or baler when manufactured. Employees will not start the equipment unless all safety doors have been properly closed. Safety glasses will be worn by any employee working within twenty-five (25) feet of any compactor or baler. Only employees trained in the use of a compactor or baler will be allowed to operate such. Training will include specific location of hands placement while operating the equipment. No employee will be allowed to service or maintain any compactor or baler without first following the proper lockout/tagout procedures.

SEC. 2-420 Use of Extension Cords and Cords to Small Power Tools

Employees using extension cords or plug connected electric equipment must visually inspect the cord for external defects such as loose parts, deformed or missing pin, damage to the outer jacket or insulation and for evidence of possible internal damage such as a

pinched or crushed outer jacket. If defects are noted the cord or power tool should not be used until the cord has been repaired or replaced.

SEC. 2-421 Operating the Tin Can and Glass Crusher

No employee will operate the glass or tin can crusher unless that employee has received training in the safe use of such equipment. A full face shield, gloves, ear protection, and a long sleeve shirt will be worn by any employee operating the glass and tin can crusher. When the crusher is in operation, safety glasses will be worn by all employees working in the disposal area of the transfer station and no citizens will be allowed within twenty-five (25) feet of the crusher.

SEC. 2-422 Compliance

Because of the importance for all employees to abide by the provisions of the safety program, including articles 4, 5, 6, 11, 12, 13, 14, 15, 16 of Chapter II of the Bucksport Town Code, it becomes necessary to establish procedures by which employees will be disciplined should components of the program be violated or not be followed. It is important for all employees to realize that the following are general steps of discipline and the degree of disciplinary action will be determined based on the severity of the violation; however, generally the following steps will apply:

1. First violation - verbal warning.
2. Second violation - written notice.
3. Third violation - written notice, three (3) day suspension without pay.
4. Fourth violation - written notice, ten (10) day suspension without pay.
5. Fifth violation - termination.

Violation notices will be written by Department Heads and provided to the disciplined employee. Department Heads who are found to be in violation of the policy will be disciplined by the Town Manager. Records of all notices will be included in the employee's file. Employees will follow the applicable grievance procedures as outlined in the work agreement or Town Personnel Policy if they feel that they have been grieved as a result of the disciplinary action taken

Article 5

This article has no content.

Article 6 Hazard Communication Program

SEC. 2-601 Policy

The Town of Bucksport has established this Hazard Communication Program in order to comply with 29 CFR 1910.1200, OSHA's Hazard Communication Standard, and to provide a safe and healthy workplace.

All departments are included under this program. The written program will be available for review by any employee during work hours at the following locations: public safety

building, town garage, transfer station, waste water treatment facility, town office and swimming pool bath and pump house when in operation.

All department heads will review and update the program at least annually and whenever necessary to include new hazardous materials or procedures. Department heads will include the fire chief, police chief, public works director, recreation director and waste water treatment plant supervisor. For the purpose of this policy designated department heads and supervisors are as follows:

- Public Works Director - Highway Department including the town garage, sewers, salt and sand storage facility
- Supervisor Wastewater Treatment Plant - wastewater treatment plant and pump stations
- Recreation Director - Recreation Department including swimming pool, bath and pump house, skating rink, storage facility and waterfront bathrooms.
- Fire Chief - Fire Department and Ambulance Service
- Police Chief - Police Department and animal kennel
- Town Manager - Administration including department heads
- Transfer Station Operator - transfer station

The written program will be made available to employee, their designated representatives, the Assistance Secretary of Labor for OSHA, the director of the National Institute of Occupational Safety and Health (NIOSH), and the Bureau of Labor Standards.

SEC. 2-602 Container Labeling

The department heads and supervisors as designated in section 2-601 of this policy will verify that all containers of hazardous substances are properly labeled, will review the labeling system annually and update as needed, and will answer questions to provide help on labeling.

The labeling system used will include labels provided by the supplier. If that is not available, then the container will be marked by using a felt pen noting the product in the container and referenced to the MSDS available for that product.

Original containers received for use will be labeled to indicate, at minimum:

- the identity of the contents which must match the MSDS
- appropriate hazard warnings, including routes of entry and target organs if known, and
- the name and address of the manufacturer, importer, or responsible party.

Secondary containers will be labeled with, at minimum:

- a copy of the original manufacturer's label, or
- generic label with identity and hazard warnings.

All labels must be in English and must be legible and prominently displayed. There are no specific requirements for size and color.

SEC. 2-603 List of Hazardous Chemicals

The department heads and supervisors as designated in section 2-601 of this policy will be responsible for preparing and updating the list of all chemicals in their department or facility. The list will be included with the Material Safety Data Sheets for that department.

SEC. 2-604 Material Safety Data Sheets (MSDS)

Each department head or supervisor identified in section 2-601 of this policy is responsible for obtaining and maintaining the MSDSs for their designated department. Each designated department head or supervisor will review incoming MSDSs to make sure they contain all required information, and for changes in health and safety information. Each will make sure any new information is passed on to the affected employees.

When toxic or hazardous substances are received without the MSDS, the designated department head or supervisor as noted in section 2-601 of this policy will send a letter to the supplier requesting the MSDS, with a copy to file. Employees are not permitted to use any chemicals for which the company does not have the MSDS, and MSDSs will be accessible to all employees during each work shift when they are in their work areas. Copies of MSDSs will be kept in the following:

- transfer station
- town garage
- town office
- swimming pool and bath house
- public safety building
- wastewater treatment facility

SEC. 2-605 Employee Information and Training

Each department head or supervisor identified in section 2-601 of this policy is responsible for the employee training program of their department or facility they supervise.

Each department head or supervisor identified in section 2-601 of this policy is responsible for assuring that each affected employee will be given information as outlined below for any new chemical prior to that chemical being introduced into the workplace.

Each department head or supervisor identified in section 2-601 of this policy is responsible for providing yearly update training, as required by the Maine Chemical Substance Identification Law.

Prior to starting work, new employee that will work with hazardous materials will attend a health and safety orientation and will receive the following information:

- an overview of the requirements contained in the OSHA hazard Communication Standard, 29 CFR 1910.1200.

- chemicals present in their workplace operations
- location and availability of the town's written hazard communication program.
- physical and health effects of the toxic or hazardous substances.
- methods and observation techniques used to determine the presence or release of toxic and hazardous substances in the work area
- how to use toxic and hazardous substance in the safest possible manner, including safe work practices, personal protective equipment and emergency procedures.
- steps the town has taken to lessen or prevent exposure to toxic and hazardous substances.
- how to read labels and review MSDSs to obtain correct hazard information.
- location of MSDSs for their department or facility.

SEC. 2-606 Hazards of Non-routine Tasks

Periodically, employees may be required to perform non-routine tasks that involve the use of hazardous chemicals.

Department heads or supervisors identified in section 2-601 of this policy will provide information about hazardous chemicals to which employees of their department or facility may be exposed to during non-routine task prior to employees starting such tasks.

This information will include:

- specific hazards involved
- protective measures the employee should take
- measures the company has taken to lessen the hazard, including ventilation, respirators, presence of another employee and emergency procedures.

SEC. 2-607 Informing Contractors

Each department head or supervisor identified in section 2-601 of this policy will be responsible to provide contractors with employees at town worksite within their department or facility with the following information:

- toxic and hazardous substances to which the contractor's employees may be exposed while at the worksite.
- precautions the employees can take to lessen the possibility of exposure.
- location of MSDS (must be accessible at the worksite)

Each department head or supervisor identified in section 2-601 of this policy will be responsible to contact each contractor who will work for their department or within their facility before work is started to gather and disseminate any information concerning chemical hazards that the contractor is bringing into the workplace, and that any of the company's employees who are exposed to these hazards are properly trained and protected.

Article 7 Policy on Alcoholism and/or Drug Abuse

SEC. 2-701 Policy

In the interest of maximizing employee performance, productivity, utilization, and retention, it is the policy of the Town to recognize alcohol and drug abuse as a treatable disease. Alcohol or drug abuse is defined as the consumption of alcohol or drugs in a manner that interferes with the employees' ability to perform their job. The Town will therefore maintain a continuing effort to identify and facilitate treatment of drug and alcohol abuse in dealing with employee performance problems. It is not the intent of the Town to accept below standard performance nor to restrict supervisors in dealing with performance problems but rather to increase available alternatives.

SEC. 2-702 Procedures

Supervisors will receive instructional materials on the identification of alcohol and drug abuse problems. If a supervisor has cause to believe that employee performance is deteriorating due to alcohol and drug abuse the supervisor will suggest professional diagnosis and treatment as part of any disciplinary action that may be required. If the suggestion is accepted, then the supervisor will attempt to accommodate such diagnosis and any subsequent treatment. This may involve providing a list of treatment resources, informing the employee of benefits available through the Town's Health Plan, and making reasonable accommodation to the employee's work duties and schedule which may include the use of sick leave or personal leave of absence. An employee who has undergone or is undergoing treatment may return to work after providing professional certification of his ability to do so. All relevant personnel records and discussions will be kept in the strictest confidence. If the employee chooses not to accept professional diagnosis or assistance the supervisor shall take any appropriate action as provided in the Town's Personnel Policy.

SEC. 2-703 Policy Superseded

This policy shall be superseded by any applicable Federal law, State statute, Municipal ordinance, and any collective bargaining agreements which may exist. The Bucksport Town Council does pledge to work toward incorporating provisions of this policy into the three (3) latter categories.

SEC. 2-704 Conclusion

At no time shall the safety of fellow workers or citizens or the efficiency of municipal operations be compromised by the policy.

Article 8 Alcohol and Drug Policy and Testing Procedures for the Omnibus Transportation Employee Testing Act of 1991

1.0 Policy Statement and Authorization

1.1 The Town of Bucksport has a strong commitment to the health, safety and welfare of its employees, their families, its customers, and the public at large. Accordingly, the

Town seeks to hire and employ workers requiring a Commercial Drivers License (CDL) who are free from the illegal use and abuse of drugs and alcohol, and to protect employees, their families and the public from the adverse effects of alcohol and drug abuse. The Town requires that final applicants selected for positions requiring a CDL undergo an Alcohol and Drug Test to detect the presence of alcohol and drug abuse substances in the body.

Any applicant with a positive pre-employment test may be denied employment with the Town by reason of the positive test.

1.2 The use and misuse of alcohol or drugs, whether prescribed or illegal, impairs the ability of an employee to perform assigned duties, particularly those requiring a CDL, and may endanger the employee's coworkers, the public, the Town, and public and private property. The Town seeks to prevent employees from using alcohol and drugs when the use of such is illegal, or in any way endangers the Town or the public. The Town also wants to provide appropriate and reasonable assistance to employees whose use or misuse impairs their ability to perform their duties.

1.3 This policy is designed to comply with the Omnibus Transportation Employee Testing Act of 1991 and with the Rules and Regulations under CFR 49, Part 653, Prevention of Prohibited Drug Use in Transit Operations and CFR 49, Part 382, Substances and Alcohol Use and Testing (both published February 15, 1994) and related parts, and to provide guidance to Town Officials on the implementation of the requirements of the Act.

2.0 Drug and Alcohol Testing

The following circumstances shall require Drug and Alcohol Testing:

2.1 Pre-employment

Pre-employment Testing shall be conducted before applicants are hired or after an offer to hire, but before actually performing safety-sensitive functions for the first time. Testing is also required when employees transfer to a safety-sensitive (driver) position.

2.2 Post Accident

Post accident testing shall be conducted after accidents on drivers whose performance could have contributed to the accident (as determined by a citation for a moving traffic violation) and for all fatal accidents even if the driver is not cited for a moving traffic violation.

2.3 Reasonable Suspicion.

Reasonable Suspicion testing shall be conducted when a trained supervisor has reasonable suspicion, based upon specific, contemporaneous, articulate observations concerning the appearance, behavior, speech or body odor, that the employee has:

- 2.3.1 Unlawfully used illicit drugs and/or abused controlled substances; or
- 2.3.2 Reported to work under the influence or has illicitly ingested controlled substances or alcohol during working hours.

2.4 Random

Random testing shall be conducted on a random, unannounced basis just before, during or just after performance of a safety sensitive function. Fifty percent (50%) of employees in safety sensitive positions must be tested for controlled substances and twenty-five percent (25%) of employees in safety sensitive positions must be tested for alcohol on an annual basis.

2.5 Return to Duty and Follow-up

Return to duty and follow-up testing shall be conducted when an individual who has violated the prohibited alcohol or drug conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after a driver returns to duty. Follow-up testing may be extended for up to sixty (60) months following return to duty.

3.0 Responsibility

It is the responsibility of the Town Manager or designee to administer and enforce this policy and the procedures as outlined. Employment by the Town shall not be deemed to have been offered nor shall a perspective employee have the right to accept any offer or suggestion of an offer of employment until such time as a drug test evaluation has been received and cleared by the Town Manager. Any work performed by an individual for or in behalf of the Town prior to such approval shall not involve the operation of any Town equipment requiring a CDL prior to testing.

The Town Manager will contract for specimen collection, medical review, testing, and training for supervisors and employees. It is the responsibility of each department director, supervisor or manager to administer applicable sections of this policy.

It is the responsibility of the Town Manager to see that supervisors are properly trained and that employees have notice of and are familiar with these drug and alcohol policies and procedures.

4.0 Definitions

- 4.1 Alcohol and Drug Test: A generally accepted and proven test methodology or methodologies as recommended by the Rules and Regulations under CFR 49, Part 653, Prevention and Prohibited Drug Use in Transit Operations and CFR Part 382, Substances and Alcohol Use and Testing. This test method determines whether an individual has ingested or otherwise used the substance in question within a period of time before the test.

- 4.2 Applicant: The person who has applied for a position with the Town of Bucksport, including past employees eligible for rehire, and present employees voluntarily seeking another position.
- 4.3 Medical Review Officer (MRO) Physician responsible for reviewing all test results for confirmation prior to communicating same to the employer. The MRO is required to protect the confidentiality of the individual involved.
- 4.4 NIDA: The National Institute on Drug Abuse.
- 4.5 Positive Test: Alcohol and Drug tests results that meet or exceed the standards outlined under CFR 49.
- 4.6 Random Testing: A scientific method used to select employees for testing at random. This method will occur throughout the year, and involve a minimum of fifty percent (50%) employees/positions requiring a CDL selected for drug testing and a minimum of twenty-five (25%) for alcohol testing. The minimum percent to be tested may be decreased in subsequent years based on the number of confirmed positive test results.
- 4.7 Reasonable Suspicion: A determination made by a trained supervisor that an employee is in violation of the Omnibus Transportation Employee Testing Act of 1991 concerning alcohol or controlled substances. This determination must be based upon specific, contemporaneous, articulate observations concerning the appearance, behavior, speech and body odor of the driver. Circumstances which may constitute a basis for determining “reasonable suspicion” may include, but are not limited to:
 - 4.7.1 A pattern of abnormal or erratic behavior;
 - 4.7.2 Information provided by a reliable and credible source;
 - 4.7.3 Direct observation of drug or alcohol use;
 - 4.7.4 Presence of the physical symptoms of drug and alcohol use (i.e., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
 - 4.7.5 Any trained supervisor who has reasonable suspicion to believe that a violation has occurred must complete an “Observation Behavior-Reasonable Cause Record” form within twenty-four (24) hours of the observed behavior or before the results of the test are released, whichever is earlier.
- 4.8 Substance Abuse: The use of alcohol, prescription or over the counter drugs, any of which impairs the ability of an employee to perform the job safely and effectively, or the use of illegal drugs or other controlled substances without a valid prescription.
- 4.9 Work-Related Vehicular Accident: Any reportable vehicular accident that damages property or involves injury to self or others for which a moving traffic violation citation is issued (does not include minor personal injury not requiring transport to a medical facility or care beyond first aid). Any vehicular accident involving a fatality.

5.0 Conduct Prohibited

- 5.1 The following conduct or behavior is determined to be unacceptable and therefore is prohibited under this policy. Violations shall be cause for disciplinary action.
 - 5.1.1 Reporting to or remaining on duty with a blood/alcohol concentration of 0.04 or greater.
 - 5.1.2 Possessing alcohol on duty that is not manifested or part of a shipment.
 - 5.1.3 Use of alcohol while on duty.

- 5.1.4** Use of alcohol for eight (8) hours after an accident that will require a post-accident test or until the test is performed, whichever occurs first.
- 5.1.5** Any use of alcohol within four (4) hours of reporting to duty to perform a safety sensitive position.
- 5.1.6** Refusal to submit and properly participate in a required alcohol and/or controlled substances test. A refusal is defined as:
 - 5.1.6.1** Failing to report immediately to the identified testing site, once notified, but in no case, more than two (2) hours after notification.
 - 5.1.6.2** Failing to follow proper instructions or participate in the required testing procedures.
- 5.1.7** Reporting to or remaining on duty while using any controlled substance, EXCEPT when used under the direct orders of a physician AND the physician has informed the employee that the use WILL NOT effect the safe use and operation of the commercial vehicle.
- 5.1.8** Reporting to or remaining on duty after testing positive for any controlled substance under this Policy.
- 5.2** The following conduct or behavior is determined to be unacceptable.
 - 5.2.1** Reporting to or remaining on duty when a blood/alcohol concentration is greater than 0.02 but less than 0.04.
 - 5.2.2** Any employee found to be in violation of 5.2.1 shall be immediately removed from the safety sensitive position and shall not be permitted to perform that function until the start of the driver's next regularly scheduled duty period, but not less than twenty-four (24) hours following administration of the test.

6.0 Testing for Job Applicants and Employees

6.1 Drugs to be Tested for

When chemical drug and alcohol screening is required under the provisions of this policy and CFR Title 49 a breath test and/or urinalysis test will be given to detect the presence of the following drug groups:

- 6.1.1** Alcohol (ethyl)
- 6.1.2** Amphetamines
- 6.1.3** Cocaine
- 6.1.4** Opiates
- 6.1.5** Phencyclidine (PCP)
- 6.1.6** THC (Marijuana)

6.2 Applicant Testing: General Standard

Applicants for all classes of employment requiring a CDL will be required to undergo a chemical drug and alcohol test upon an offer of employment and prior to their final appointment to the position.

6.3 Current Employee Testing: General Standard

- 6.3.1** The Town may require a current Town employee whose position requires a CDL to undergo drug and alcohol testing if there is reasonable suspicion by the

immediate supervisor or other trained management personnel that the employee is under the influence of drugs or alcohol during work hours.

- 6.3.2** Supervisors are required to document the specific facts, symptoms, or observations which formed the basis that reasonable suspicion existed to warrant the testing of an employee. This documentation shall be maintained by the Town Manager. The "Observed Behavior-Reasonable Cause Record" must be completed.
- 6.3.3** The Town will require a current Town employee in a position requiring a CDL to undergo post-accident drug and alcohol testing if he/she is involved in a reportable vehicular accident or if there is a fatality.
- 6.3.4** All current employees in safety sensitive positions requiring the use of a CDL will be subject to Random Testing.
- 6.3.5** Employees having a confirmed positive test will be subject to retesting at the time they return to work. After returning to work, they will be subject to follow-up testing without notice for up to sixty (60) months.
- 6.3.6** This section shall not restrict the testing of current employees who are applying for employment positions requiring a CDL. (See sections 2.0 and 4.2 of this policy).

6.4 Testing of Supervisors

- 6.4.1** All supervisors in safety sensitive positions and who are required to use a CDL are subject to the testing rules and procedures outlined in this policy.
- 6.4.2** If an employee suspects a supervisor of substance abuse, the employee will notify the Town Manager of the employee's suspicions. The Town Manager will act in accordance with 6.3.1 or 6.3.2 and in accordance with reasonable suspicion sections 4.7 and 8.3. All employee reports are kept strictly confidential. Anonymous complaints will not be investigated.

7.0 Training and Notices

7.1 Supervisory Training

The Town shall provide or shall contract for training, as required by 49 CFR, to assist supervisory personnel in identifying indicators of drug and alcohol use among employees. This shall consist of a minimum of one (1) hour each for Drug and Alcohol use and misuse.

7.2 Provision of Testing Policy and General Information

The Town Shall provide written notice of this drug and alcohol testing policy to all employees and job applicants, who are in or applying for safety sensitive positions. The notice shall contain the following information:

- 7.2.1** The need for drug and alcohol testing;
- 7.2.2** The circumstances under which testing may be required;
- 7.2.3** The procedure for confirming an initial positive drug test result;
- 7.2.4** The consequences of a confirmed positive test result and the appeal procedure available;
- 7.2.5** The consequences of refusing to undergo a drug and alcohol test;

- 7.2.6 The right to explain a positive test result and the appeal procedures available;
and
- 7.2.7 The availability of drug abuse counseling and referral services.

7.3 Record Keeping

- 7.3.1 Records shall be maintained by the department of supervisory training given, and copies shall be forwarded to the Town Manager.
- 7.3.2 Records shall be maintained by the department documenting that employees have been provided with information required under this policy, and copies shall be forwarded to the Town Manager.

8.0 Testing Procedures

8.1 Notice and Consent

- 8.1.1 Before a drug and alcohol test is administered, employees and job applicants will be asked to sign a consent form authorizing the test and permitting the release of test results to those Town officials with a need to know. The chemical screen consent form shall provide space to indicate current or recent use of prescription and over-the-counter medication.
- 8.1.2 All recruitment announcement for any position requiring a CDL including in-house recruitment and promotion will disclose that a chemical, alcohol and drug screening test will be required for the applicant.

8.2 Pre-employment Testing

- 8.2.1. Before any Department Head makes a conditional offer of employment to an applicant, he/she will notify the Town Manager of the final or top applicant for the position. The Town Manager will schedule a chemical alcohol and drug screening test for the applicant.
- 8.2.2. The applicant shall be given a copy of this policy, a consent form to complete and sign, and will be informed of the test appointment.
- 8.2.3. The MRO will notify the applicant of the test results, and if positive, will give the applicant an opportunity to discuss same prior to release of the information to the Town.
- 8.2.4. After the Town Manager has received the results from the MRO or medical facility, a determination whether or not the applicant is eligible for employment will be made. All results shall be kept confidential.

8.3 Reasonable Suspicion Testing

Trained Department heads and Supervisors may upon reasonable suspicion, ask any on-duty employee to submit to an immediate alcohol and drug test.

- 8.3.1. The employee shall immediately be given a "Test Consent Form" to complete and sign.
- 8.3.2. The employee will be immediately taken by the Supervisor to the appropriate medical facility/clinic for testing.
- 8.3.3. If the employee is not able to be taken to the appropriate medical facility/clinic for testing, the Supervisor shall immediately telephone the agency and primary

medical facility (any time day or night) and/or call medical personnel from the primary medical facility and request that they go to where the employee has been taken to acquire the drug and alcohol test samples.

8.3.4. The employee shall be immediately removed from duty and assisted in getting home after the drug and alcohol test.

8.3.5. When “reasonable suspicion” is the grounds for requiring a drug/alcohol test, the employee shall be placed on paid administrative leave until the test results are available and a preliminary administrative review has been conducted.

8.3.6. An alcohol and drug test for reasonable suspicion will include the urinalysis test.

8.3.7. Results from the alcohol and drug screen test will be given by the laboratory to the MRO who, after confirmation, will forward them to the Town Manager.

8.4 Random Testing

8.4.1 This procedure will occur throughout the year, and will initially involve a minimum of fifty percent (50%) of the employee/positions requiring a CDL for drug testing and twenty-five percent (25%) for alcohol testing selected at random and unannounced throughout the year.

8.4.2 If the test yields a positive result and the positive result is confirmed by the MRO, then the employee will be subject to disciplinary action as described in Section 11.2.

8.5 Post-Accident Testing

8.5.1 A post-accident test will be conducted on any CDL employee involved in a work-related motor vehicle accident if:

8.5.1.1 The accident results in loss of life.

8.5.1.2 The operator receives a citation under Local or State law for a moving traffic violation arising from the accident.

8.6 Return-to-Duty Testing

Any employee returning to duty following a confirmed positive test must be subjected to a return-to-duty test following the same guidelines described in section 8.2. The test must show a verified negative result prior to the employee returning to duty.

8.7 Follow-Up Testing

8.7.1. An employee returning to work following a confirmed positive test and period of assistance/discipline will be subject to unannounced testing for a period of not more than sixty (60) months. There will be a mandatory minimum of six (6) tests within the first twelve (12) months.

8.7.2. Follow-up tests may be used to determine whether or not any controlled substance is still being used.

9.0 Refusal to Consent

9.1. Applicants

A job applicant who refuses to consent to a drug and alcohol screening test will be denied employment with the Town. If the applicant is a current Town employee, the applicant will be denied employment in the position for which application was made. No denial shall be made without first attempting to discuss the impact of the refusal with the applicant.

9.2 Employees

An employee who refuses to consent to a drug and alcohol screening test when selected for random testing, post-accident, or when reasonable suspicion of drug or alcohol use has been identified, is subject to disciplinary action up to and including termination. The reason(s) for the refusal shall be considered in determining the appropriate disciplinary action. No disciplinary action shall be taken without first discussing the matter with the employee and Town Manager.

10.0 Consequences of Confirmed Positive Test Results - - Drug and Alcohol

10.1 Applicants

Job applicants will be denied employment with the Town if their initial positive test results have been confirmed. Applicants who are current Town employees shall be denied employment in the position for which application was made. Applicants shall be informed in writing if they are rejected on the basis of a confirmed positive test result. Employee applicants shall be handled in accordance with Section 10.2 below.

The applicant will be provided an opportunity to discuss with the MRO the results of any positive test and seek a second confirmation test as provided in Section 11.0.

10.2 If an employee's positive test result has been confirmed for Drug or Alcohol use, the employee is subject to action as follows:

10.2.1 Positive Drug Test: The employee shall be referred to a Substance Abuse Professional through the Town Employee Assistance Program (EAP). The Substance Abuse Professional shall determine what assistance, if any, is needed to resolve problems associated with controlled substance abuse. In accordance with M.R.S.A. 26, subsection 685, the Town is obligated to offer treatment assistance and limited financial assistance. Failure to comply with the recommended treatment, if any, however, shall be cause for disciplinary action up to and including termination. Factors to be considered in determining the appropriate disciplinary response include but are not limited to: employee's work history, length of employment, current job performance and existence of past disciplinary actions. No disciplinary action shall be taken against any employee who voluntarily identifies himself/herself as a substance abuser prior to the time that it is apparent that the use has been detected. A second positive occurrence or further violation of this policy following an initial positive occurrence shall be cause for discharge.

Prior to any disciplinary action being imposed by the Town, the employee is entitled to a disciplinary hearing.

10.2.2 Postive Alcohol Test: The employee shall be referred to a Substance Abuse Professional through the Town Employee Assistance Program (EAP). The Substance Abuse Professional shall determine what assistance, if any; is needed to resolve problems associated with alcohol abuse and shall make those recommendations to the employee. Notwithstanding any recommendations made by the Substance Abuse Professional, the Town may take disciplinary action up to and including termination. Factors to be considered when determining the appropriate disciplinary response include, but are not limited to: employee's work history, length of employment, current job performance and existence of past disciplinary actions. No disciplinary action shall be taken against any employee who voluntarily identifies himself/herself as an alcohol abuser prior to the time that it is apparent that the use has been detected. A second positive occurrence, should the employee continue to be employed following an initial positive occurrence, shall be cause for discharge.

Prior to any disciplinary action being imposed by the Town, the employee is entitled to a disciplinary hearing.

11.0 Consequences of a Controlled Substance Test Results (Drug Test)

- 11.1** An employee or job applicant whose drug test yields a positive result, confirmed by the MRO, shall be given a second test. The second test shall use a portion of the same test sample withdrawn from the employee or applicant for use in the first test.
- 11.2** If the second test confirms the positive test result the employee or applicant shall be notified of the results by the MRO, who will offer the employee an opportunity to discuss the results. The MRO will then notify the Town Manager in writing. The letter of notification shall identify the particular substance found and its concentration level.

12.0 Confidentiality of Test Results

All information from an employee's or applicant's drug and alcohol test is confidential and only those with a need to know are to be informed of test results. Disclosure of test results to any other person, agency or organization is prohibited unless written authorization is obtained from the employee or applicant or upon subpoena. The results of a positive drug test shall not be released by the MRO until confirmed. The records of unconfirmed positive test results and negative test results shall be destroyed by the testing laboratory. All positive test results will be maintained by the MRO, and reported to the Town Manager, where they will be kept on file.

13.0 Privacy in Chemical Drug Testing

- 13.1** Urine samples shall be provided in a private restroom stall or similar enclosure so that employees and applicants may not be viewed while providing the sample. Employees and applicants may be required to disrobe and will be given hospital gowns to wear while they are providing test samples in order to ensure that there is no tampering. Street clothes, bags, briefcases, purses, and other containers may not

be carried into the test area. The water in the commode, if any, shall be colored with dye to protect against dilution of test samples.

- 13.2** An applicant or employee may waive the right to privacy and provide the urine sample in the presence of a witness (of the same gender) and not be required to disrobe and wear a hospital gown.

14.0 Laboratory Testing Requirements

- 14.1** All chemical drug and alcohol testing of employees and applicants shall be conducted at medical facilities or laboratories selected by the Town. To be considered as a testing site, a medical facility or lab must submit in writing a description of the procedures that will be used to maintain test samples. Factors to be considered by the Town in selecting a testing facility include in addition to NIDA certification:

- 14.1.1** Testing procedures which ensure privacy to employees and applicants consistent with the prevention of tampering.
- 14.1.2** Methods of analysis which ensure reliable test results, including the use of gas chromatography/mass spectrometry to confirm positive test results.
- 14.1.3** Chain-of-custody procedures which ensure proper identification, labeling and handling of test samples; and
- 14.1.4** Retention and storage procedures which ensure reliable results on confirmatory test of original samples.

14.2 Second Confirmation Test

- 14.2.1** The applicant or employee may request from the MRO a second confirmation test of the same sample within seventy-two (72) hours of notice that the first test was positive.
- 14.2.2** The cost of the second (2nd) confirmation test must be paid in advance by the applicant or employee. If the test is negative, the Town shall reimburse the applicant or employee for the cost of the test.
- 14.2.3** The second confirmation test will be performed by a NIDA certified laboratory selected by the MRO.

15.0 Responsible City Official

The Town Manager or designee may be contacted for further information about this policy or its applicability.

16.0 Effective Date

This policy shall become effective January 1, 1996.

17.0 Positions Included for Testing

17.1 Public Works Department

- Foreman
- Equipment Operator
- Truck Driver/Laborer
- Mechanic

17.2 Wastewater Treatment Plant Assistant Treatment Plant Operator

Article 9 ADA Grievance Procedure

The following Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, and benefits by the Town of Bucksport.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than sixty (60) calendar days after the alleged violation to:

Roger Raymond, Town Manager 469-7368 (voice) 469-1178 (TDD)

P. O. Drawer X, Bucksport, ME 04416

Within fifteen (15) calendar days after receipt of the complaint, Roger Raymond, Town Manager (ADA Coordinator) will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, Roger Raymond, Town Manager (ADA Coordinator) will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the Town of Bucksport and offer options for substantive resolution of the complaint.

If the response by Roger Raymond, Town Manager (ADA Coordinator) does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within fifteen (15) calendar days after receipt of the response to the Town Council or designee.

Within fifteen (15) calendar days after receipt of the appeal, the Town Council or designee will meet with the complainant to discuss the complaint and possible resolutions. Within fifteen (15) calendar days after the meeting, the Town Council or designee will respond in writing, and, where appropriate, in a format accessible to the complainant, such as audio tape, with a final resolution of the complaint.

All complaints received by Roger Raymond, Town Manager (ADA Coordinator), appeals to the Town Council or designee, and responses from the ADA Coordinator and Town Council or designee will be kept by the Town of Bucksport for at least three (3) years.

Article 10

This article has no content.

Article 11 Bloodborne Pathogen Exposure Control Plan

SEC. 1 Introduction

1-101 Purpose

The purpose of this Exposure Control Plan is to provide and maintain a safe working environment for all employees by eliminating and/or minimizing occupational exposure to bloodborne pathogens, including, but not limited to Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV). It is the responsibility of the employer to provide and maintain appropriate engineering controls and personal protective equipment, and to develop and promote safe work practices. It is also expected that employees will practice and follow the guidelines set forth by this plan.

1-102 Definitions

Blood: human blood, human blood components, and products made from human blood.

Bloodborne Pathogens: pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to: hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Clinical Laboratory: a workplace where diagnostic or other screening procedures are performed on blood or other potentially infectious materials.

Contaminated: the presence or the reasonably anticipated presence of blood or other potentially infectious materials or may contain sharps.

Contaminated Laundry: laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.

Contaminated Sharps: any contaminated object that can penetrate the skin including, but not limited to, needles, scalpels, broken glass, broken capillary tubes, and exposed ends of dental wires.

Decontamination: the use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use or disposal.

Engineering Controls: controls that isolate or remove the bloodborne pathogens hazard from the workplace.

Exposure Incident: a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

Handwashing Facilities: facility providing an adequate supply of running potable water, soap, and single use towels or a hot air drying machine.

Licensed Healthcare Professional: person whose legally permitted scope of practice allows him or her to perform the activities required for hepatitis B vaccination and post-exposure evaluation and follow-up.

HBV: Hepatitis B Virus.

HIV: Human Immunodeficiency Virus.

Occupational Exposure: reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

Other Potentially Infectious Materials (OPIM): see Section 1-104, Background.

Parenteral: piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions.

Personal Protective Equipment: specialized equipment worn by an employee for protection against a hazard. General work clothes (e.g. uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment (PPE).

Regulated Waste: biomedical waste.

Source Individual: any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee.

Sterilize: the use of a physical or chemical procedure to destroy all microbial life including highly resistant bacterial endospores.

Work Practice Controls: controls that reduce the likelihood of exposure by altering the manner in which a task is performed.

1-103 Scope

This plan covers all employees who could be “reasonably anticipated”, as a result of the performance of their job duties, to come in contact with blood or other potentially infectious materials. “Good Samaritan” acts, such as assisting a coworker with a nosebleed, would not be considered an occupational exposure.

1-104 Background

The Center for Disease Control (CDC) has recognized the following as linked to the potential transmission of HBV, HIV, and other bloodborne pathogens in the occupational setting:

blood/blood product or components contaminated with blood	any body fluid visibly
semen	pleural fluid
vaginal secretions	pericardial fluid
amniotic fluid	peritoneal fluid
synovial fluid	cerebrospinal fluid
saliva (in dentistry)	

AND all body fluids in situations where it may be difficult or impossible to differentiate between body fluids.

These substances shall be collectively referred to as blood and “other potentially infectious material” (OPIM) for the remainder of this document.

SEC. 2 Exposure Determination

2-201 Purpose

In order to protect employees, those at risk must first be identified. An “Exposure Determination” is attached to this document. Attachment 1 specifically lists job classifications with potential occupational exposure. This determination has been made for all job classes where some or all employees with that job description have potential occupational exposure without regard to personal protective equipment. In job

classifications where only some employees have occupational exposure, the specific tasks will be listed. This exposure determination will be reviewed at least annually, by each Department Head and Town Manager and whenever job classifications or tasks with potential occupational exposure are added or changed.

SEC. 3 Control Methods

3-301 Universal Precautions

In order to provide a consistent approach in managing body substances from ALL patients or clients, and reduce the risks of exposure to bloodborne pathogens, the practice of Universal Precautions shall be followed by ALL employees at ALL times, regardless of patient diagnosis. Universal Precautions (UP) is an approach to infection control. It is the practice of assuming all blood and OPIM are potentially infectious regardless of the source.

UP shall apply to ALL patient or client contacts at ALL times.

UP shall apply to all human blood/blood components; blood products; as well as any body fluids including: semen, vaginal secretions, breast milk, amniotic fluid, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, and wound drainage; tissues or inanimate objects contaminated or potentially contaminated with same.

UP requires placing effective barriers between the employee and the blood or OPIM in order to interrupt the transmission of bloodborne pathogens through parenteral contact, or contact to the skin, eyes, or mucous membranes.

A. Handwashing:

Handwashing continues to be an important means of interrupting disease transmission to both patients and employees.0

1. Wash hands often and thoroughly, with soap and water.
2. Wash hands between each patient contact.
3. Wash hands after removing gloves, or other personnel protective equipment.
4. Wash hands after contact with blood or other potentially infectious material.
5. In the event handwashing facilities are not immediately available, a substitute antiseptic handcleaner or towelette will be used. Hands shall be washed with running water and soap as soon as possible

B. Gloves:

1. Gloves shall be worn when there is anticipated or potential contact with blood or body fluids or when touching patient's non-intact skin.
2. Gloves shall be worn when the employee has non-intact skin (cuts, abrasions, dermatitis, etc.).
3. Gloves shall be worn when performing any vascular access procedure.
4. Gloves shall be worn when collecting, handling, manipulating, transporting, or testing any patient specimen, or handling any pathology specimens which have not been received in fixative.

5. Gloves shall be worn during invasive examination, instrumentation, or procedures.
6. Gloves shall be worn by the persons responsible for the transportation and handling of soiled linen and red bag waste.
7. Gloves shall be worn when cleaning any surfaces or areas soiled with blood or body fluids.
8. Gloves shall be worn when handling/cleaning patient care items or patient care areas/surfaces soiled with blood or body fluids.
9. Gloves shall be changed between patient contacts.
10. Gloves shall be changed before caring for different body sites on the same patient.
11. Gloves shall be changed when visibly soiled or damaged.
12. Disposable/single-use gloves shall not be washed or decontaminated for re-use.

C. Mask/Protective Eyewear/Face Shields

1. Masks in combination with eye protection devices, such as goggles or glasses with solid side shields, or chin-length face shields, shall be worn during procedures where splashes, spray, splatter, droplets of blood or other potentially infectious body fluids may be generated, and contact to the eye, nose, or mouth can be reasonably anticipated.
2. Masks shall also be worn when in contact with patients suspected or known to be carrying infectious diseases transmitted by the respiratory route.

D. Gowns:

Fluid-impervious gowns, aprons, cover jackets, or lab coats shall be worn to protect skin when there is potential for blood or body fluids to penetrate clothing. The specific type and characteristics of the protective garment will depend upon the task and degree of exposure anticipated.

Regular work clothes and/or street clothes should be periodically examined for blood or body fluid splashes to ascertain if additional protection is necessary.

E. Needles/Sharps:

1. Needles shall not routinely be recapped, bent, broken, removed from disposable syringes, or otherwise manipulated by hand.
2. One-handed recapping or recapping devices will not be allowed.
3. All needles and sharps (knife blades, guidewires etc.) shall be disposed of in puncture-proof containers specifically manufactured for this purpose. These containers shall be located in ambulance 1 and 2.
4. Containers shall be checked daily by fireman on duty and changed when full.

F. Linen:

Universal Precautions shall be utilized when handling all used linen, since all used linen shall be considered potentially infectious. Linen which is grossly contaminated/soiled with blood or body fluids (i.e. wet or damp) must be placed in leak-proof bags. Bags should not be overfilled.

G. Waste

All waste shall be properly packaged, to prevent spill or leakage, and labeled for disposal by the area generating the waste.

H. Blood or Body Fluid Spills:

In the event of a blood or body fluid spill, all visible organic matter must first be removed and then the area decontaminated. Broken glassware or sharps shall be picked up using a dust pan and brush, not by hand. Decontamination shall be done by wiping the area of spill with an approved disinfectant or bleach.

I. Lab Specimens:

1. All lab specimens must be contained in leak-proof containers. The outside of the primary container shall be clean and dry.
2. Individual/single specimens shall be placed in a secondary container or leak-proof bag for transport to the laboratory.
3. All specimens must be clearly labeled with the appropriate patient information.
4. All specimens shall be handled as if potentially infectious therefore special labeling of known high risk specimens is not necessary.

J. Resuscitation Equipment:

Resuscitation devices including pocket masks or ambu bags, shall be strategically located to provide personnel with immediate access for emergency situations. These devices shall be used in place of emergency mouth-to-mouth resuscitation. Once used, these items shall be properly bagged for disposal or decontamination and cleaning.

K. Hepatitis B Vaccine Program:

All employees who work in areas with direct patient care or who may come in contact with items contaminated by blood or body fluids, shall be offered Hepatitis B vaccine free of charge. These workers must be immunized against Hepatitis B, or sign a declination form. Any employee who declines the vaccine initially may request it, free of charge, at any future date.

L. Exposure Incidents:

All exposure incidents and blood or body fluid contacts must be reported to the supervisor within one (1) hour of occurrence.

M. Education:

1. All new employees shall receive training in Universal Precautions, pertinent to the scope of their responsibilities and practice.
2. All employees shall review Universal Precautions at least annually.

N. Non-compliance:

Each Department may be required to formulate and revise as necessary, separate policies regarding the use of personal protective equipment and development of work practices for the protection of employees.

Compliance with Universal Precautions shall be monitored by each Department Head or Supervisor. In the event that employee work practice is not in compliance with Universal Precautions, disciplinary action will be taken.

3-302 Engineering Controls

Engineering controls employ mechanical devices designed to remove or reduce exposure hazards. These include, but are not limited to, handwashing sinks, glove boxes, splash guards, eye wash stations, sharps containers, mechanical pipettes, self-sheathing needles, needleless IV systems, laboratory hoods, and air handling systems.

All engineering controls shall be examined and maintained on a regular schedule to ensure effectiveness and proper working order. Attachment 3 contains a list of engineering controls and their maintenance schedule.

When handwashing facilities are not available, and when emergencies arise and running water is not available, employees will be provided with an appropriate handwash substitute, such as an antiseptic foam cleaner or towelettes. As soon as handwashing facilities are available, the employees must wash their hands.

3-303 Work Practice Controls

All tasks will be performed in a manner that will reduce the risk of exposure. Personnel in areas where exposure hazards exist are expected to adhere to the following:

1. Eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas where there is reasonably anticipated occupational exposure.
2. Food and drink shall not be kept in refrigerators, freezers, shelves, cabinets or countertops where blood or OPIM are stored or present.
3. Mouth pipetting/suctioning of blood or other potentially contaminated materials is prohibited.
4. All specimens shall be placed in leak-proof containers for handling, transport, storage, or shipping. If outside contamination of the primary container occurs or is likely, a second container shall be utilized. This second container shall likewise be leak-proof, puncture resistant and appropriately color-coded or labeled.
5. Hands will be washed after removing gloves or as soon as possible after contact with blood or body fluids.
6. All personal protective equipment will be worn or used by employees as instructed by this document, as outlined during training, and as specified by policy, procedure, or protocol. This would be expected to include whenever the employee makes the assessment that it is reasonable to anticipate that parenteral, skin, clothing, or mucous membrane contact with blood or OPIM might occur.
7. Sharps will immediately be placed in approved, puncture proof closable containers, provided. These shall be appropriately labeled and color-coded. These containers will be placed in close proximity to areas where needles or sharps are likely to be used or found. They will be routinely inspected and replaced when

- full. They will be maintained in an upright position at all times. They will be closed prior to removal or replacement. See attachment 3 for locations and inspection routine.
8. All procedures shall be performed in such a manner as to minimize splashing and/or spraying of blood or OPIM.

3-304 Personal Protective Equipment (PPE)

PPE will be provided by the employer and, when used correctly by employees, will eliminate or minimize direct exposure to potentially infectious or contaminated material by providing an appropriate barrier.

PPE available in general includes: gloves, lab coats, fluid resistant gowns, head and foot covering, face shield and masks, protective eye wear and masks, complete encapsulation suits (operative isolators), resuscitation bags or pocket masks, and fluid resistant sleeves or gauntlets.

Not all PPE is appropriate to all settings. The type and characteristics of specific protective clothing and equipment will be dependent upon the task being performed and the degree of exposure anticipated. Certain tasks will be outlined during training and in the UP guidelines that routinely require minimum items (i.e. gloves whenever blood is present). It is expected, however, that, with training, the employee will learn to recognize the potential for occupational exposure and wear appropriate PPE whenever indicated.

Repair or replacement will be accomplished whenever necessary to maintain effectiveness in not permitting blood or OPIM to pass through or reach employees work clothes, street clothes, undergarments, skin, eyes, mouth, or other mucous membranes
UNDER NORMAL CONDITIONS OF USE.

Laundering and cleaning of PPE will be the responsibility of the employer.

Single-use, disposable gloves shall be worn when it is reasonably anticipated that hand contact with blood or OPIM will occur.

Hypoallergenic gloves, glove liners, or non-powdered gloves will be provided when necessary.

Single-use, disposable gloves shall be disposed after each use and must never be washed or reused.

Reusable utility gloves shall be used for cleaning and decontamination and handling of contaminated laundry. These gloves must be periodically checked for cracks, tears, punctures, and other signs of wear and deterioration and discarded immediately if the gloves' integrity is compromised. They shall be appropriately washed and decontaminated after being contaminated.

Masks, in combination with appropriate eye protection devices such as goggles, glasses with side shields, or chin length face shields, shall be worn whenever splashes, spray, or splatter, or droplets of blood or OPIM may be generated and eye, nose or mouth contact can be reasonably anticipated.

All PPE shall be removed prior to leaving the work area and shall be placed in an appropriately designated area for storage, washing, or disposal. (see attachment 5)

In the event of contamination with blood or OPIM of the employee's street clothes or uniform, these shall be left at the work site. Cleaning of these shall be the responsibility of the employer.

SEC. 4 HBV Vaccination

Employees whose jobs may be reasonably anticipated to expose them to potential occupational hazard from bloodborne pathogens will be encouraged to receive the HBV vaccination series. These will be made available, at no charge to the employee, within thirty (30) working days of placement in the job classification with potential occupational exposure. The vaccination series will be completed within accordance with manufacturer's recommendations.

If an employee chooses not to receive HBV vaccination, the employee must sign a letter of declination. (see attachment 6) Employees who initially decline vaccination may request it at any future date. Vaccinations will be given according to standard medical practice. Boosters, while not currently required, will be given according to manufacturer's and CDC's recommendations as these become available.

No prescreening is required in order to be eligible for vaccination.

SEC. 5 Post-exposure Evaluation and Follow-up

An exposure incident is defined as a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or OPIM that results from the performance of an employee's duties. In the event of an exposure, employees will have the opportunity, at no cost to the employee, to receive a confidential medical evaluation. Specific procedure to follow and what to expect are outlined in attachment 7.

The report sent to the employer's chosen healthcare professional will include a copy of OSHA's bloodborne pathogen standard, a written summary of the exposure incident including the route of exposure and circumstances, including the exposed employee's duties as they relate to the exposure, and results of the source individual's blood test (if available), and all medical records relevant to the appropriate treatment of the employee including vaccination status.

The employer will, within fifteen (15) days, obtain a copy of the healthcare professional's written report and provide the employee with a copy. This opinion will be limited to whether hepatitis B vaccine was indicated and whether it was given, that the employee

has been made aware of the results of the evaluation and any medical conditions resulting from exposure to blood or OPIM which may require further treatment.

All other findings or diagnoses will remain confidential.

A good faith attempt will be made to obtain consent from the source patient to collect and test their blood for the presence of HIV and HBV. The exposed employee is expected to follow employer regulations and applicable laws regarding confidentiality of the source individual.

The exposed employee will be offered serologic HIV/HBV testing in the manner recommended by the CDC as soon as possible after the incident and the opportunity for retesting as recommended by the CDC. Testing will be performed at an accredited laboratory at no cost to the employee. If the employee initially declines serologic testing, he/she may elect to have the baseline studies drawn and saved for up to ninety (90) days. At any point during this time period, he/she may elect to have the tests performed on the saved blood.

Employees will have the opportunity to receive post-exposure prophylaxis, (i.e. gamma globulin, hep B immune globulin, AZT) when medically indicated, at no cost to the employee.

Follow-up of the exposed worker will include counseling, medical evaluation of any febrile illness that occurs up to twelve (12) weeks post exposure, and the use of safe and effective post exposure measures according to standard medical practice.

SEC. 6 Employee Health Record Keeping

Each exposure will be documented in accordance with 29 CFR 1910.30, Access to Employee Exposure and Medical Records. Records shall be maintained for at least the duration of employment plus thirty (30) years.

Each exposure record shall include:

1. The name and Social Security Number of the employee.
2. A copy of the employee's HBV vaccination status including dates and any records relative to the employee's ability to receive the vaccination.
3. A copy of all tests, exams, and follow-up procedures.
4. The employer's copy of the healthcare professional's written opinion.
5. A copy of the information provided to the healthcare professional.

These records shall not be disclosed to anyone without the employee's express written consent, except as required by OSHA regulations, or state law.

ALL RECORDS, WHETHER PERTAINING TO THE EXPOSED PERSON OR SOURCE INDIVIDUAL WILL BE MAINTAINED IN A SEPARATE LOCKED, CONFIDENTIAL FILE.

Exposure, including needle stick injuries, shall be recorded on the OSHA 200 form if medical treatment is required, or if duties are restricted or time is lost in accordance with OSHA guidelines.

HVB and HIV infections shall be recorded on the OSHA 200 log if the illness can be traced back to an occupational injury or incident.

SEC. 7 Biomedical Waste Handling

7-701 Scope

Regulated waste is defined, for the purpose of this standard, as liquid or semi-liquid blood or OPIM; contaminated items that would release blood or OPIM; items that are caked with dried blood or OPIM and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or OPIM.

7-702 Methods for Contaminated Sharps

Contaminated sharps shall be discarded immediately or as soon as feasible in containers that are:

1. closable
2. puncture-resistant
3. leak-proof on the sides and bottom
4. labeled or color-coded
5. easily accessible to the immediate area where sharps are used or can be reasonably anticipated
6. maintained upright throughout use
7. replaced routinely and not allowed to overfill
8. closed immediately prior to removal or replacement
9. placed in a secondary container if leakage is possible.

This secondary container shall be:

1. closable
2. constructed to contain all contents and prevent leakage during transport, handling, storage and shipping
3. labeled or color-coded
4. reusable containers shall not be opened, emptied, or cleaned manually or in any other manner which would expose employees to risk of percutaneous injury.

7-703 Methods for Other Regulated Waste

Regulated waste shall be placed in containers that are:

1. closable
2. constructed to contain all contents and prevent leakage of fluids during handling, storage, transport and shipping
3. labeled or color-coded
4. closed prior to removal to prevent spillage or protrusion of contents during handling, storage, or shipping

5. placed in a secondary container if outside contamination of the regulated waste container occurs.

This secondary container shall be:

1. closable
2. constructed to contain all contents and prevent leakage of fluids during handling, storage, transport or shipping
3. labeled or color-coded
4. closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport or shipping

Disposal of all regulated waste will be in accordance with applicable regulations of the United States, States and Territories, and political subdivisions of States and Territories.

SEC. 8 Labels, Tags and Signs

Warning labels shall be affixed to containers of regulated waste, refrigerators, and freezers containing blood or OPIM, and other containers used to store, transport, or ship blood or OPIM.

Tags/labels that comply with 29 CFR 1910.1200(f), Hazard Communication Standard, will be used to identify a biological hazard. They will be fluorescent orange or orange-red or predominately so, with letters or symbols in a contrasting color.

Tags/labels will contain the word "BIOHAZARD", will have the BIOHAZARD SYMBOL on them or the substance will be placed in a RED bag or container.

Tags or labels must be attached or affixed so that their loss or unintentional removal is prevented.

Employees working in or around biohazards will receive training in accordance with Section 10 of this plan.

Regulated waste that has been decontaminated need not be labeled or color-coded.

Labels for contaminated equipment shall be in accordance with above specifications, and shall also state which portions of the equipment remains contaminated.

Individual containers of blood or OPIM that are placed in a labeled container during storage, transport, shipment or disposal are exempt from the above labeling requirements.

Containers of blood or blood products or components that are labeled as to their contents and have been released for transfusion or other clinical use are exempt from the above labeling requirements.

SEC. 9 Housekeeping Practices

All work areas will be maintained by employees in a clean and sanitary condition according to the written schedule and methods attached. (see attachment 8)

All equipment and environmental and working surfaces shall be cleaned and decontaminated after contact with blood or OPIM. They shall be cleaned with an appropriate disinfectant:

1. after completion of procedure
2. immediately or as soon as possible when surfaces are overtly contaminated or after any spill of blood or OPIM
3. at the end of the work shift if the surface may have become contaminated since the last cleaning.

Protective coverings, such as plastic wrap, aluminum foil, or imperviously backed absorbent paper used to cover equipment and environmental surfaces, shall be removed and replaced as soon as feasible when they become overtly contaminated or at the end of the work shift if they may have been contaminated during the shift.

Reusable equipment contaminated with blood or OPIM will be cleaned or decontaminated after each use and prior to repair or scheduled maintenance.

All bins, pails, cans, and similar receptacles intended for reuse which have a reasonable likelihood of becoming contaminated with blood or OPIM shall be inspected on a regularly scheduled basis and cleaned and decontaminated immediately or as soon as feasible upon visible contamination. (see attachment 8)

Broken glassware which may be contaminated shall not be picked up by hand. It shall be cleaned up using mechanical means (e.g. a brush and dust pan) and disposed of in a sharps container.

All contaminated linen/laundry shall be bagged at the place of use with minimal agitation. It shall be placed in bags or containers labeled or color-coded. When laundry is wet and presents a reasonable likelihood of soak-through or of leakage from the bag or container, the laundry shall be placed and transported in bags or containers which prevent leakage and/or soak-through to the exterior.

Employees with contact with contaminated laundry will wear utility gloves and other personal protective equipment as necessary.

Laundry bags or containers shall be appropriately labeled or color-coded.

SEC. 10 Training and Education

All employees performing tasks which have been determined to have a potential for exposure, are required to participate in a training and education program prior to initiating the task(s). This training will be updated annually.

Training will be provided at no cost to the employee and during reasonable normal working hours.

Employees will receive additional training when changes or modifications of tasks occur, and/or when new procedures are added. This additional training will be limited to the new procedures or modifications.

Training shall be conducted by individuals knowledgeable on the subject matter as it relates to the control of bloodborne pathogens and to the specific tasks being performed.

The training will contain the following elements:

1. Explanation and location of 29 CFR 1910.1030, Bloodborne Pathogens Standard.
2. Explanation and location of this plan.
3. General explanation of the epidemiology and symptoms of bloodborne disease.
4. Modes of transmission of bloodborne pathogens.
5. Explanation of the use and limitations of the methods of control, i.e. universal precautions, engineering controls, PPE, and work practice controls.
6. Explanation of the basis for selection, use, removal, decontamination, and/or disposal of PPE.
7. Information on the HBV vaccine, including its efficacy, safety, and the benefits of being vaccinated, and that the vaccination is offered free of charge to the employee.
8. Explanation of the procedure to follow if an exposure occurs, including post-exposure evaluation and follow-up.

9. Explanation of the signs, labels, tags, and/or color-coding used to denote biohazards.
10. Opportunity for interactive questions and answers with the person conducting the training session.

Training records shall be maintained for three (3) years from training date. They shall include: the date of training, the contents or summary of the training, the names and qualifications of the persons conducting the training, and the names and job classifications of the persons attending the training. The availability and transfer of these training records will be in accordance with 29 CFR 1910.1030, the Bloodborne Pathogens Standard.

Attachment 1

POLICE OFFICER

All who work in this class have potential occupational exposure.

Tasks

- Potential contact with non-intact skin or skin contaminated with blood or other potentially infectious material (Patient placement, assistance, transport, general patient care, etc.).
- Handling of contaminated waste.
- Dressing wounds.
- Cleaning areas after procedures, exams, or physical contact where contamination of surfaces or linens with potentially infectious materials might have occurred.
- Controlling hemorrhage and burn care.
- Participating in resuscitation activities (hard to define exposure potential).
- Potential exposure to blood or other potentially infectious material by accidental or intentional trauma (i.e. potential contact with violent or uncooperative individuals).
- Potential exposure to sharps or blood or other potentially infectious material during searches.
- _____
- _____
- _____
- _____

List of Officers with High Risk of Exposure

EMERGENCY MEDICAL TECHNICIANS

All who work in this class have potential occupational exposure.

Tasks:

- Vascular access procedures (starting intravenous lines).
- Phlebotomy.
- Fingersticks.
- Handling or collection of culture material/swabs/media contaminated or possibly contaminated with blood or other potentially infectious material.
- Handling (includes labeling) of laboratory (body fluid or tissue) specimens containing blood or other potentially infectious material.
- Potential contact with non-intact skin or skin contaminated with blood or other potentially infectious material (patient placement, assistance, transport, general patient care, etc.).
- Exams with non-intact skin or with mucous membrane contact.
- Handling or cleaning of contaminated instruments (blunt or sharp).
- Handling of contaminated waste.
- Dressing wounds.
- Cleaning areas after procedures, exams, or patient contact where contamination of surfaces or linens with potentially infectious materials might have occurred.
- Handling contaminated re-usable instruments or linens.
- Controlling hemorrhage and burn care.
- Participating in resuscitation activities (hard to define exposure potential).
- Potential exposure to blood or other potentially infectious material by accidental or intentional trauma (i.e. potential contact with violent or uncooperative individuals).
- _____
- _____
- _____

List

List of EMT's With High Risk of Exposure

PARAMEDIC

All who work in this class have potential occupational exposure.

Tasks

- Potential contact with non-intact skin or skin contaminated with blood or other potentially infectious material (patient placement, assistance, transport, general patient care, etc.).
- Exams with non-intact skin or with mucous membrane contact.
- Vascular access procedures (starting intravenous lines).
- Phlebotomy.
- Handling or cleaning of contaminated instruments (blunt or sharp).
- Fingersticks.
- Handling of contaminated waste.
- Handling (includes labeling) of laboratory (body fluid or tissue) specimens containing blood or other potentially infectious material.
- Dressing wounds.
- Handling or collection of culture material/swabs/media contaminated or possibly contaminated with blood or other potentially infectious material.
- Cleaning areas after procedures, exams, or patient contact where contamination of surfaces or linens with potentially infectious materials might have occurred.
- Handling contaminated re-usable instruments or linens.
- Controlling hemorrhage and burn care.
- Participating in resuscitation activities (hard to define exposure potential).
- Potential exposure to blood or other potentially infectious material by accidental or intentional trauma (i.e. potential contact with violent or uncooperative individuals).
- _____
- _____
- _____
- _____

List of Paramedic's with High Risk of Exposure

FIREFIGHTER

Some who work in this class have potential occupational exposure.

Tasks

- Exams with non-intact skin or with mucous membrane contact.
- Handling or cleaning of contaminated instruments (blunt or sharp).
- Handling contaminated re-usable instruments or linens.
- Potential contact with non-intact skin or skin contaminated with blood or other potentially infectious material (patient placement, assistance, transport, general patient care, etc.).
- Handling of contaminated waste.
- Dressing wounds.
- Cleaning areas after procedures, exams, or patient contact where contamination of surfaces or linens with potentially infectious materials might have occurred.
- Controlling hemorrhage and burn care.
- Participating in resuscitation activities (hard to define exposure potential).
- Potential exposure to blood or other potentially infectious material by accidental or intentional trauma (i.e. potential contact with violent or uncooperative individuals).
- Use of breathing apparatus.
- _____
- _____
- _____

List of Firefighters with High Exposure Risk

DISPATCHER/EVIDENCE OFFICER

Some who work in this class have potential occupational exposure.

Tasks

- **Potential exposure to sharps or blood or other potentially infectious material while handling evidence.**

- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Dispatcher

SWIMMING POOL DIRECTOR/LIFE GUARDS
Some who work in this class have potential occupational exposure.

Tasks

- **Participating in resuscitation activities.**

- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Head Life Guard

Two (2) On Duty Life Guards

TRANSFER STATION EMPLOYEES

Some who work in this class have potential occupational exposure.

Tasks

- Potential exposure to sharps or blood or other potentially infectious material while handling solid waste.

- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Transfer Station Employees

CLEANING OR JANITORIAL STAFF

Some who work in this class have potential occupational exposure.

Tasks

- Cleaning areas after procedures, exams, or patient contacts where contamination of surfaces or linens with potentially infectious materials might have occurred.
- Handling or cleaning of contaminated instruments (blunt or sharp, including speculums).
- Handling of contaminated waste.
- Handling contaminated re-usable instruments or linens.

- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Janitorial Staff

**Engineering Controls
Location and Maintenance
Wastewater Treatment Plant**

Purpose:

Engineering controls are a vital first (1st) step in removing the bloodborne pathogen hazard from the workplace. In order to function appropriately, they must be inspected and maintained on a routine as well as on an as needed basis.

In order for this to occur without fail, a written schedule with delineation of responsibility is outlined. This document also serves to document the location of engineering controls.

Examples of engineering controls include, but are not limited to, handwashing facilities, eyewash stations, sharps containers, glove boxes, splash guards, mechanical pipettes, and laboratory hoods.

LOCATIONS/MAINTENANCE SCHEDULES/RESPONSIBLE PARTY

Description (e.g. eyewash)	Location (e.g. back lab wall)	Responsible Party/When (e.g. 3rd Shift Tech or L. Smith in engineering daily)
2 lab sinks	Lab	Superintendent—after use
Bathroom sink	Bathroom	Superintendent—daily
Eye Wash	Dechlor Room	Superintendent—after use and monthly
Eye Wash	Lab	Superintendent—after use and monthly
Eye Wash	Dewatering room	Superintendent—after use and monthly
Mechanical Pipettes	Lab	Superintendent—after use
Fume Hood	Lab	Superintendent—after use
Glove boxes	Lab	Superintendent—weekly

**Engineering Controls
Location and Maintenance
Transfer Station**

Purpose:

Engineering controls are a vital first (1st) step in removing the bloodborne pathogen hazard from the workplace. In order to function appropriately, they must be inspected and maintained on a routine as well as on an as needed basis.

In order for this to occur without fail, a written schedule with delineation of responsibility is outlined. This document also serves to document the location of engineering controls.

Examples of engineering controls include, but are not limited to, handwashing facilities, eyewash stations, sharps containers, glove boxes, splash guards, mechanical pipettes, and laboratory hoods.

LOCATIONS/MAINTENANCE SCHEDULES/RESPONSIBLE PARTY

Description (e.g. eyewash)	Location (e.g. back lab wall)	Responsible Party/When (e.g. 3rd Shift Tech or L. Smith in engineering daily)
Glove Boxes	Office	Transfer Station Operator—Weekly
Antiseptic Towelettes	Office	Transfer Station Operator--Weekly

**Engineering Controls
Location and Maintenance
Swimming Pool/Bath House**

Purpose:

Engineering controls are a vital first (1st) step in removing the bloodborne pathogen hazard from the workplace. In order to function appropriately, they must be inspected and maintained on a routine as well as on an as needed basis.

In order for this to occur without fail, a written schedule with delineation of responsibility is outlined. This document also serves to document the location of engineering controls.

Examples of engineering controls include, but are not limited to, handwashing facilities, eyewash stations, sharps containers, glove boxes, splash guards, mechanical pipettes, and laboratory hoods.

LOCATIONS/MAINTENANCE SCHEDULES/RESPONSIBLE PARTY

Description (e.g. eyewash)	Location (e.g. back lab wall)	Responsible Party/When (e.g. 3rd Shift Tech or L. Smith in engineering daily)
Handwashing facility	Bathrooms/bath house	Swimming Pool Director--Daily
Glove Box	Director's office	Swimming Pool Director--Daily

**Engineering Controls
Location and Maintenance
Town Garage**

Purpose:

Engineering controls are a vital first (1st) step in removing the bloodborne pathogen hazard from the workplace. In order to function appropriately, they must be inspected and maintained on a routine as well as on an as needed basis.

In order for this to occur without fail, a written schedule with delineation of responsibility is outlined. This document also serves to document the location of engineering controls.

Examples of engineering controls include, but are not limited to, handwashing facilities, eyewash stations, sharps containers, glove boxes, splash guards, mechanical pipettes, and laboratory hoods.

LOCATIONS/MAINTENANCE SCHEDULES/RESPONSIBLE PARTY

Description (e.g. eyewash)	Location (e.g. back lab wall)	Responsible Party/When (e.g. 3rd Shift Tech or L. Smith in engineering daily)
Eye Wash station	Mechanic area	Public Works Director--Weekly
Glove Box	Office/mechanic area	Public Works Director--Weekly
Handwashing Facility	Bathroom	Public Works Director--Daily

**Engineering Controls
Location and Maintenance
Fire Department—Ambulance Department**

Purpose:

Engineering controls are a vital first (1st) step in removing the bloodborne pathogen hazard from the workplace. In order to function appropriately, they must be inspected and maintained on a routine as well as on an as needed basis.

In order for this to occur without fail, a written schedule with delineation of responsibility is outlined. This document also serves to document the location of engineering controls.

Examples of engineering controls include, but are not limited to, handwashing facilities, eyewash stations, sharps containers, glove boxes, splash guards, mechanical pipettes, and laboratory hoods.

LOCATIONS/MAINTENANCE SCHEDULES/RESPONSIBLE PARTY

Description (e.g. eyewash)	Location (e.g. back lab wall)	Responsible Party/When (e.g. 3rd Shift Tech or L. Smith in engineering daily)
Eyewash	Fireman work room	Fireman on duty—Weekly
Handwashing facility	Upstairs/bathroom	Fireman on duty—Daily
Glove Box	Ambulance 1 and 2	Fireman on duty—Daily
Sharps Container	Ambulance 1 and 2	Fireman on duty—Daily
Sink	Workroom	Fireman on duty—Daily

**Engineering Controls
Location and Maintenance
Police Department**

Purpose:

Engineering controls are a vital first (1st) step in removing the bloodborne pathogen hazard from the workplace. In order to function appropriately, they must be inspected and maintained on a routine as well as on an as needed basis.

In order for this to occur without fail, a written schedule with delineation of responsibility is outlined. This document also serves to document the location of engineering controls.

Examples of engineering controls include, but are not limited to, handwashing facilities, eyewash stations, sharps containers, glove boxes, splash guards, mechanical pipettes, and laboratory hoods.

LOCATIONS/MAINTENANCE SCHEDULES/RESPONSIBLE PARTY

Description (e.g. eyewash)	Location (e.g. back lab wall)	Responsible Party/When (e.g. 3rd Shift Tech or L. Smith in engineering daily)
Handwashing facility	Bathroom	Janitor—Daily
Eyewash	Fireman workroom	Fireman on duty--Daily
Glove Box	Police cruisers	Day shift police—Daily

Personal Protective Equipment Storage, Removal, and Disposal

Purpose

Personal protective equipment is intended to provide a barrier between the occupational biohazard and the employee. In order to be useful, it must be available. Therefore, locations are outlined below.

In order to prevent transmission of the hazard to new locations, however, personal protective equipment must be removed and stored or disposed of appropriately.

Personal protective equipment includes, but is not limited to: gloves, gowns, laboratory coats, face shields, masks, eye protection, mouthpieces, resuscitation bags, pocket masks, or other ventilation devices.

Personal protective equipment is “appropriate” only if it does not permit blood or OPIM to pass through or reach the employee’s work clothes, street clothes, undergarments, skin, eyes, mouth, or other mucous membranes under normal working conditions of use and for the duration of time which the protective equipment will be used.

General Tenets

PPE will be available at all times in appropriate sizes for all personnel.

Hypoallergenic gloves, glove liners, powderless gloves, or other similar alternatives shall be readily accessible to employees who are allergic to the gloves normally provided.

The employer will take responsibility for the cleaning, laundering, and disposal of PPE at no cost to the employee.

The employer will repair or replace PPE at no cost to the employee.

Soiled PPE shall be removed immediately or as soon as feasible.

All PPE shall be removed prior to leaving the work area. It shall be placed in the storage or disposal areas listed below.

PPE Locations for Storage, Disposal and Use

Wastewater Treatment Plant

PPE	Location for Storage	Method of Disposal
Disposable gloves	Lab cabinet, pickup toolbox	Red bag
Reusable gloves	Lab cabinet, pickup toolbox	Wash after every use
Lab coat & apron	Lab drawer	Laundry bag if spill or splash
Eye protection	Lab drawer	Wash if spill or splash
Disposable overall	Bathroom, pickup toolbox	Red bag
Rubber boots	Bathroom locker	Wash when used
Red bag	Lab	To be brought to Fire Station
Laundry bag	Lab	To be brought to Fire Station

**PPE Locations for Storage, Disposal and Use
Town Garage**

PPE	Location for Storage	Method of Disposal
Reusable utility gloves	Public Works Director's Office	Wash after every use
Disposable gloves	Front storage room	Red bag
Eye protection	Public Works Director's Office	Wash after use
Rubber boots	Front storage office	Wash after use
Coverall	Public Works Director's Office	Red bag--to be brought to the Fire Station
Red bag	Director's Office	To be brought to Fire Station
Laundry bag	Director's Office	To be brought to Fire Station

Red bag is located at Fire Station--Firemen's quarters.
Washing of gloves, boots and eye protection is to be done with anti-bacterial soap.

Attachment 3

**PPE Locations for Storage, Disposal and Use
 Police Department**

PPE	Location for Storage	Method of Disposal
Reusable gloves	Firemen’s workroom	Wash after every use
Disposable gloves	Police cruisers	Red bag--to be brought to the Fire Station
Coveralls	Police cruisers	Laundry bag--to be brought to the Fire Station
Disposable pocket mask	Police cruisers	Red bag--to be brought to the Fire Station
Protective eye wear	Police cruisers	Wash after use

Laundry Bag--located in Fire Station, fireman’s room.
Red bag—located in Fire Station, Firemen’s workroom.
All contaminated laundry to be picked up by cleaners.

Attachment 3

**PPE Locations for Storage, Disposal and Use
Ambulance/Fire Station**

PPE	Location for Storage	Method of Disposal
E. Tubes	Ambulance 1 & 2	Red bag
Disposable rubber gloves	Ambulance 1 & 2, Engine 4 & Mini 1	Red bag
Ambulance protective clothing	Ambulance 1& 2	Red bag
Pocket mask	Ambulance 1 & 2, Engine 4 & Mini 1	Red bag
Eye protection	Ambulance 1 & 2, Engine 4 & Mini 1	Wash after use

Red bag: to be located in fireman workroom

Red bag: to be brought to EMMC by Ambulance attendant when necessary

Laundry bag: to be located in fireman workroom

All contaminated laundry: to be picked up by cleaners.

Waiver Form Hepatitis B Immunization

I understand that due to my occupational exposure to blood and other potentially infectious materials I may be at risk of acquiring Hepatitis B Virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to myself. However, I decline Hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring Hepatitis B, a serious disease. If, in the future, I continue to have occupational exposure to blood or other potentially infectious materials, and want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination at no charge to me.

Date

Signature of Employee

Date

Witness

Article 12 Video Display Terminal Operator Policy

SEC. 12-101 Requirement

In accordance with State law, the Town will inform all employees whose primary task is to operate a terminal for more than four (4) consecutive hours, exclusive of breaks, on a daily basis, of health and safety aspects of using a video display terminal (VDT). A notice will be posted in a prominent location in the workplace which informs the employee of the rights and duties for a qualified employee.

Section 12-201 Training and Education

A training and education program will be established by the Town for qualified employees. The program will be provided annually both orally and in writing, except in locations where there are fewer than five (5) terminals, the information will be given to qualified employees in writing. New qualified employees will receive the training within the first month of employment.

The training at minimum will include:

1. An explanation or description of the proper use of terminals and the protective measures that the operator may take to avoid or minimize symptoms or conditions that may result from extended or improper use of terminals; and
2. Instruction related to the importance of maintaining proper posture during terminal operation and a description of methods to achieve and maintain this posture, including the use of any adjustable work station equipment used by the operator.

ARTICE 13 CONTROL OF HAZARDOUS ENERGY LOCKOUT TAGOUT WRITTEN PROGRAM

Section 13-101 Purpose

This procedure establishes the minimum requirements for the lockout of energy isolating devices whenever maintenance or servicing is done on machines or equipment. The procedure shall be used to ensure that the machine or equipment is stopped, isolated from all potentially hazardous energy sources and locked out before employees perform servicing or maintenance where the unexpected energizing or start-up of the machine or equipment or release of stored energy could cause injury.

Section 13-102 Compliance With These Procedures

All employees are required to comply with the restrictions and limitations imposed upon them during the use of lockout. The authorized employees are required to perform the lockout in accordance with this procedure. All employees, upon observing a machine or equipment which is locked out to perform servicing or maintenance, shall not attempt to start, energize, or use that machine or equipment.

Section 13-103 Lockout/Tagout Program Activities

- All equipment that contains energy of any form, and which could cause injury, will be locked out prior to being serviced or maintained.
- All employees who are authorized to work on machinery or equipment will follow the town's lockout/tagout procedures.
- contractor who perform work on town equipment on town owned property will comply with the town's lockout/tagout procedures unless they can demonstrate that the company has a plan which is acceptable to the town.
- An energy control plan will be completed for all pieces or equipment requiring lockout. This plan will identify all energy isolation points to be locked and tagged, as well as any special information required to safely achieve a zero energy state.
- Lockout checklists and safe start-up checklists will be used during all service and maintenance activities to ensure the safety of both authorized and affected employees.

Section 13-104 Group Lockout

When more than one person is required to lock or tag out machines or equipment, each person shall place his or her own lock and tag on the energy isolating device(s). When an energy isolating device(s) cannot accept more than one lock or tag, then a lockout device(s) that allows more than one person to place a lock or tag will be used.

Section 13-105 Shift Changes

When lockout/tagout of machine or equipment extends beyond one shift, the following must occur:

- provisions must be made to allow new shift employees to place their locks on the lockout device before they begin work on the machine or equipment
- the above must be done with out interruption of the zero energy state.

Section 13-106 Outside Contractors

If outside contractors are working on machine or equipment in or on town property, the contractor must be informed of the town's lockout/tagout procedures. If the contractor's procedures are different from the town's, then the supervisor must make an agreement with the contractor as to which procedures will be used. All employees working with the contractor must be notified of any changes in their own procedures.

Section 13-107 Lockout or Tagout Devices Removal

Each lockout device shall be removed from each energy isolating device by the employee who applied the device. Exception to above requirement:

- When the authorized employee who applied the lockout/tagout device is not available to remove it, that device may be removed under the direction of the supervisor provided that specific procedures and training for such removal have been developed , documented, and incorporated into the town's energy control program.

The supervisor shall demonstrate that specific procedures shall include at least the following elements:

- Verification by the supervisor that the authorized employee who applied the device is not in the facility.
- Making all reasonable efforts to contact the authorized employee to inform him/her that his/her lockout or tagout device has been removed.
- Ensuring that the authorized employee has this knowledge before he/she resumes work at the facility.

Section 13-108 Lockout Procedure

Each Department Head will be responsible for identifying the lockout procedures for their department which will include at minimum the following information

- List of machine, equipment, or system that must be shut down and locked out during servicing and or maintenance.
Example: sludge pump, #3 water feed pump, band saw, compactor
- List of job titles of affected employees and method to be used to notify them of the requirement.
- Identify for designated machine, equipment, or system that must be shut down and locked out during servicing or maintenance the following:
 - a. Type(s) or energy (electrical, mechanical, hydraulic, chemical thermal, pneumatic)
 - b. Magnitude(s) of this energy (volts, psi, ft lbs.,)
 - c. Hazard(s) of this energy (kick back, electrocute, burn, drop, fall)
 - d. Method(s) to control energy (depress stop button, close valve, brake)
 - e. Type(s) of operating controls (valve, brake, switch, button)
 - f. Location(s) of operating controls.
 - g. Type(s) of energy isolating device(s) (electrical disconnect, circuit breakers)
 - h. Location(s) of energy isolating device(s)
 - i. Type of lock required

The above requirement will be accomplished by completing form #1 **“Town of Bucksport Energy Control Procedures Chart”** and form #2 **“Affected Employees”**.

Section 13-109 Lockout Procedures

Each department head will be responsible for notifying all affected employees in their department of the following:

- machinery or equipment that must be shut down and locked out during servicing and or maintenance.
- that they understand the hazards of the energy and know the methods to control the energy.

Authorized employees shall before beginning to service equipment:

- refer to the company procedure to identify the type and magnitude of the energy that the machine or equipment utilizes

- understand the hazards of the energy
- know the methods to control the energy
- shut down equipment, machinery or system
- isolate the machine, equipment or system
- attach lock and tag
- control stored energy
- verify that the energy state is at zero

In order to assure compliance with this section, authorized employees will be required to complete Form #3, **“Lockout Checklist”** prior to servicing or maintaining any equipment, machinery or system that must be tagged and locked out.

Section 13-110 Sequence for Lockout

When the servicing or maintenance is completed authorized employees will be required to follow the sequences outlined below before returning the machine or equipment to normal operation.

- Check the machine or equipment and the immediate area around the machine or equipment to ensure that:
 - a. all machine or equipment components are intact.
 - b. all tools, equipment, rags, parts, spills, etc. have removed from the machine or equipment.
 - c. all affected employees are safely positioned or removed from machine or equipment.
- Verify that all operating controls are either in the NEUTRAL or OFF positions.
- Remove the lockout devices.
- Reenergize the machine or equipment.
- Notify affected employees that the machine or equipment is fully operational.

The requirements for this section will be achieved by an authorized employee by completing Form #4 entitled **“Safe Startup Checklist”** for all machines, equipment or system that have been locked and tagged out.

Section 13-111 Restoring Machine or Equipment to Service

Department heads or supervisors will be responsible for employee training and communication. Training must communicate hazards associated with uncontrolled energy including the types and magnitudes of all hazardous energy sources, purpose, scope and application of the town’s energy control program, types and descriptions of locking devices and tags, and lockout/tagout procedures for authorized and affected employees.

Section 13-112 Training Record Keeping

Department heads or supervisors will be responsible for maintaining a written record of all training sessions with employees regarding the requirements of the Lockout/Tagout Policy.

Section-13-113 Periodic Program Evaluation

Inspection of this program will be conducted annually by the responsible department head or key supervisors. The Public Works Director will be responsible for the performance of the Highway Department and Transfer Station staff, the Police Chief will be responsible for the performance of the Police Department staff, the Director of Emergency Services will be responsible for the performance of the Fire Department and Ambulance Service staff, the Recreation Director will be responsible for the performance of all maintenance and recreational staff and the Superintendent will be responsible for the performance of the waste water treatment facility staff. The inspection, at a minimum, must include:

- Interviews with authorized and affected employees
- An inspection to ensure that the equipment has been properly locked out
- An inspection to ensure that all equipment used in lockout is appropriate for your written lockout program.

Any deficiencies in the program or procedures must be so noted in writing by the department head or supervisor and corrective action described. A record of all inspections must be maintained.

**TOWN OF BUCKSPORT
FORM #1 ENERGY CONTROL PROCEDURES CHART**

Machine Equipment System	Energy Type	Magnitude of Energy (volts, psi)	Hazard of this Energy	Method of Control and Location	Operating Controls to Shut Down	Energy Isolation Device Deactivation

SAFE STARTUP CHECKLIST

Step 1: Inspect the Area

Yes No NA

Are all machine components operational?

Are all safety guards in place?

Have any tools been left in, on or around the machine?

Have all braces, pins, blocks and chains been removed?

Are all pressure tubing, pipes and hoses connected
with valves closed?

Is the work area clear for mechanical operation?

Step 2: Remove lockout Devices and Tags

Step 3: Notify Affected Employees

Is the work area cleared before starting up the equipment?

Has the servicing been completed and locks and tags
removed?

Step 4: If you answered yes to all the above, start up the equipment.

LOCKOUT CHECKLIST

Step 1: Before Beginning to Service Equipment	Yes	No	NA
--	------------	-----------	-----------

Have the type and amount of energy source on the equipment been identified?	☐	☐	☐
---	---	---	---

Have the possible dangers related to the energy source being controlled been identified?	☐	☐	☐
--	---	---	---

Are the steps necessary to control the energy source understood?	☐	☐	☐
--	---	---	---

Have all affected employees been notified when the equipment will be shut off for service?	☐	☐	☐
--	---	---	---

Step 2: Shut Down Equipment	Yes	No	NA
------------------------------------	------------	-----------	-----------

Have the town's safety procedure been followed? ☐		☐	☐
--	--	---	---

Have the manufacturer's instructions been referred to?	☐	☐	☐
--	---	---	---

Step3: Isolate the Machine or Equipment	Yes	No	NA
--	------------	-----------	-----------

Has the main breaker or control switch been shut off?	☐	☐	☐
---	---	---	---

Have valves been closed?	☐	☐	☐
--------------------------	---	---	---

Have process lines been disconnected?	☐	☐	☐
---------------------------------------	---	---	---

Step 4: Attach Lock and Tag	Yes	No	NA
------------------------------------	------------	-----------	-----------

Have the lock and tag been attached?	☐	☐	☐
--------------------------------------	---	---	---

Step 5: Control Stored Energy	Yes	No	NA
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Have the electrical capacitance been bled? ☐		☐	☐
---	--	---	---

Have the pressure or hydraulic lines form the work area been vented or isolated?	☐	☐	☐
--	---	---	---

Have tanks been drained?	☐	☐	☐
--------------------------	---	---	---

Are switches or levers that could be moved in the start position blocked, clamped or chained?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No	NA

Are lines containing process materials that are toxic, hot, cold, corrosive or asphyxiating cleared?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

Step 6: Verify That the Energy State is at Zero

Have the start switches on the equipment been tested?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

Have pressure gauges been checked to insure that lines depressurized?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------

Are blocks or cribs secure?

<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------

Have electrical circuits been checked to verify that voltage at zero energy?

Are blanks used to block feed chemicals, secure and leaking?

Step 7: If you have

ARTICLE 14 EMERGENCY RESPONSE PLAN

Section 14-101 Purpose

The purpose of plan is to outline the procedures employees must follow should an emergency occur within any facility owned by the Town.

If any emergency should occur at any town owned facilities, such emergencies including fire, explosion, gas leak, and smoke, employees are required to leave the building immediately and organize in the parking(s) lot which serves that building. Employees will exit the building using the closest exit within the building.

No employee will stay behind to perform any shut down before evacuation..

The supervisor in charge within the facility at the time of the emergency, will account for all employees after the emergency evacuation has been completed.

The supervisor will then assign one of the employees to go to the nearest phone away from the facility to contact emergency personnel at 911.

The Town Manager will be notified as soon as all employees have been evacuated and emergency personnel have been contacted.

Section 14-102 Training

All employees will receive a copy of the Emergency Response Plan once adopted. New employees will receive a copy of the plan during their first day of employment. Department heads or facility supervisors will be responsible to review the plan with all employees on an annual basis or upon any change with the plan.

Section 14-103

Floor plans will be posted in a visible location next to each exit in each building where employees are required to work which will identify the exits and the area where employees will be required to assemble in case of an emergency. Buildings will include the Town Office, Transfer Station, Public Safety Building, Town Garage, Swimming Pool Bath House, and Treatment Plant.

ARTICLE 15 CONFINED SPACES PROGRAM

Section 15-101 Purpose

The Town of Bucksport has established this Confined Spaces Program in order to comply with OSHA 29 CFR 1910.146, OSHA's Hazard Communication Standard, and to provide a safe and healthy workplace.

Section 15-102 Confined Space

A confined space is defined as a space that is large enough and so configured that an employee can bodily enter and perform assigned work, has limited means of entry and exit, and is not designed for continuous worker occupancy.

Section 15-103 Department Heads and Facility Supervisors

For the purpose of this ordinance, department heads and supervisor include and are assigned as follows:

- Activities related to highways, roads, streets, sewers, storm drains, town garage, recreation facilities and transfer station will be the responsibility of the Public Works Director or designee, in his absence.
- Activities related to the wastewater treatment plant will be the responsibility of the Treatment Plant Supervisor or the Public Works Director, in his absence.
- Activities related to emergency services will be the responsibility of the Fire Chief or Assistant Fire Chief, in his absence.

Section 15- 104 Known Confined Spaces

Confined space entry should be a last resort. All work should be done outside the confined space if possible. Department heads or facility supervisors will visually survey the work site to identify confined spaces that are present and those that will be entered, and will determine the hazards in the confined space(s).

The following known confined spaces have been identified for the Town of Bucksport:

sewer manholes
catch basins
storm drain manholes
pit at the swimming pool pump house
sewer wet wells
any tank
trench over four feet deep
sludge holding tank at the wastewater treatment facility
concrete vault at the Wasson Field
inside solid waste compactor trailers
inside hopper sanders
elevator pit

Section 15-105 Department Head and Facility Supervisor Responsibilities

Department heads or facility supervisors are responsible to determine whether confined spaces are present, if the present confined spaces are permit-required confined spaces, whether an employee has to enter a permit-required confined space or if a contracted employee has to enter permit-required confine spaces. Workplace and confined spaces will be evaluated at the work site visually by the department head or facility supervisor

and a determination will be made whether there will be a need to enter a confined space. If there is a need to enter a confined space the Department head or supervisor will conduct a confined space pre-entry check and record the information on a pre-entry check form. These forms will be kept on file for a period of three years.

Section 15-106 Confined Spaces Requiring a Permit Before Entry

If the department head or facility supervisor determines that the confined space has one of more of the following, then the confined space can not be entered unless a confined space permit is obtained. These include:

- contains or has a potential to contain a hazardous atmosphere
These atmospheric conditions must be met:
oxygen level >19.5% combustible
gases >10% LEL
toxic gases at or below permissible exposure limit (PEL)
- contains a material that has the potential for engulfing an entrant
- has an internal configuration that an entrant could be trapped or asphyxiated by inwardly converging walls or slopes and tapers to smaller cross -section; or
- contains any other recognized serious safety or health hazards

Section 15-107 Required Steps to be Taken Prior and During Entry

If it is determined that the confined space to be entered by an employee is a permit-required confined space then the Department Head will proceed as follows:

- prevent unauthorized entry
- identify and evaluate the hazards
- establish procedures for safe entry
- require testing and monitoring of conditions
- evaluate the permit space before and during entry
- have trained attendants on site
- have necessary rescue equipment on site
- prepare and sign written confined entry permit
- order corrective measures if necessary
- cancel permit when work is completed
- maintain a written record of all evaluations and permits

Section 15-108 Training

Department heads and supervisors will receive training from a qualified trainer in confined space entry. This will be completed within three months after approval of this policy by the members of the Town Council.

Anyone who might be involved in confined space entry will receive initial and refresher training in order to provide employees with the understanding, skills, and knowledge to do the job safely. Refresher training will also be done when duties change, hazards in the place change, or wherever evaluation determines inadequacies in employee knowledge.

Certification of training must include employee's name, signature or initials of trainer, and date of training.

The entrant (the person that will work in permit required confined space) must know the probable hazards he faces including symptoms, signs and consequences of exposure, how to use his equipment, how to communicate with attendants when necessary, when a warning of, or hazardous condition exists, and to get out as quickly as possible whenever ordered or alerted to do so.

A attendant stationed outside the PRCS must know the probable hazards entrants face including symptoms, signs, and consequences of exposure; must be aware of the possible behavioral effects of exposure on entrants; know the accurate count and identification of authorized entrants; remain outside permit space until relieved by another attendant; maintain communication with entrant to monitor entrant status; monitor inside and outside the permit space and order exist, if required; summon rescue services, if necessary; prohibit unauthorized entry into the space; perform non-entry rescues, if required; not perform other duties that interfere with his primary duty to monitor and protect the safety of authorized entrants.

An entry supervisor must know probable hazards of confined spaces, verify that all tests have been conducted and that all procedures and equipment are in place before endorsing a permit, terminated entry and cancel permits, verify availability of rescue and procedure for summoning them, and removing unauthorized individuals who enter a confined space.

The duties of rescue services, personnel designated to rescue employees from a permit spaces must be trained as authorized entrants, ensure that each member of the rescue team is provided with, and trained to use, personal protective rescue duties, practice simulated rescues at least once every twelve (12) months, and be trained in first aid and Cardiopulmonary Resuscitation (CPR). One member needs to have a first aid and CPR certificate available.

Off-site rescue services must be made aware of hazards and to receive access to permit spaces for practice and to develop rescue plans. Employers must provide Material Safety Data Sheets (MSDs) to hospitals or treatment facilities as well as any other information that may aid in the treatment of rescued employees.

Section 14-109 Contracted Employees

When a contracted employee enters a PRCS, the department head or supervisor in charge must make sure that the contractor complies with permit-required confined space requirements, obtains available information regarding PRCS hazards and entry operations form host employer and coordinates entry operations with host employers where both host and contracted employees will work in or near PRCS.

CONFINED SPACE PRE-ENTRY CHECK LIST

A confined space is defined as a space configured for bodily entry and performance of work, has limited and constructed means of access and egress and is not designed for continuous worker occupancy. No employee is to enter a confined space unless the department head or facility supervisor has determined whether the workplace is a confined space requiring a permit to enter. This will be achieved by completing a pre-entry check list.

Date and Time _____
Job Site _____
Equipment to be worked on _____

Atmospheric checks: Time _____
Oxygen _____ %
Explosive _____ % L. F. L.
Toxic _____ PPM

Atmospheric check after isolation and ventilation:
Oxygen _____ % > 19.5%
Explosive _____ % < 10%
Toxic _____ % < 10 PPM H₂S
Time _____

1. Did your survey of the surrounding area show it to be free of hazards such as drifting vapors, high flow of waters, inwardly converging walls or slopes, etc.? Yes___ No___
2. Does your knowledge of industrial or other discharges indicate this area is likely to remain free of dangerous air contaminants while occupied? Yes___ No___
3. Are you certified in operation of the gas monitor to be used? Yes___ No___
4. Has a gas monitor functional test been performed this shift on the gas monitor to be used? Yes___ No___
5. Did you test the atmosphere of the confined space prior to entry? Yes___ No___
6. Did the atmosphere check as acceptable (no alarms given)? Yes___ No___
7. Will the atmosphere be continuously monitored while the space is occupied. Yes___ No___

NOTICE- IF ANY OF THE ABOVE QUESTIONS ARE ANSWERED “NO” DO NOT ENTER.

ARTICLE 16 RESPIRATOR POLICY

SEC. 16-101 PURPOSE

The purpose of this program is to protect the health of all employees by preventing their exposure to harmful levels of air contaminants. Wherever possible, exposure to air contaminants will be eliminated by the application of engineering controls.

In situations where engineering controls are not feasible, protections will be accomplished by the use of personal respirator protection equipment.

SEC. 16-102 SCOPE

Because several different types of respirators protection equipment are provided, it is necessary to establish written guidelines to assist personnel in selecting the proper equipment. Information explaining the intended use of each type and their limitations is essential.

SEC. 16-103 RESPONSIBILITY

The Superintendent of the WWTF, Fire Chief, Public Works Director and Recreation Director are responsible for all facets of this program within their departments to ensure the success of this program. In compliance with CFR 1910.134, the Departments Heads will oversee the administration of this policy and are the sole people authorized to amend this policy.

SEC. 16-104 REFERENCES

The Department Heads will use NIOSH respirator decision logic and CFR 1910.134 as guidelines to govern the selection and use of respirators. Outside consultation, manufacturer assistance and other recognized authorities will be consulted if there is any doubt regarding proper selection and use.

SEC. 16-105 PRELIMINARY ISSUANCE REQUIREMENTS

A. FACIAL HAIR

OSHA has made it clear that facial hair in the form of beards, mustaches, sideburns and stubble shall not be permitted on employees required to wear respirators, if the hair comes between the face sealing surface and the face. This will require that facial hair be removed before the start of each shift to assure that a proper seal can be obtained.

B. CORRECTIVE LENSES

Employees wearing corrective eye glasses present a special problem with respect to respirator protection. Spectacle temple bars, or straps that pass through or between the sealing surface of a full face respirator and the wearer's face prevent a good seal and thus must not be worn.

Spectacles or goggles may also interfere with half-mask respirator sealing. In this case, a full face-piece respirator should be employed.

Contact lenses must not be worn while wearing a respirator in a contaminated atmosphere. Contaminants may get into the eyes and cause severe irritation and/or discomfort with half-masks. Full face-piece masks can pull at the side of the eye and pop out the contact lens.

C. MEDICAL SURVEILLANCE

OSHA 1910.134 (b) (10) requires that no employee be assigned to a task that requires a respirator, unless it has been determined that the person is physically able to perform under such conditions. A Respirator Clearance Exam of each employee's health status will be made annually to determine the physical ability to wear a respirator and perform the required work task.

Breathing difficulty, may not in itself, prohibit the wearing of a respirator if the employee is reasonably comfortable using the device, and proper medical clearance has been obtained.

D. QUALITATIVE FITTING

All employees required to wear a respirator must be at least qualitatively fit tested annually, and before the employee is permitted to use a respirator on the job.

E. MISCELLANEOUS SEALING PROBLEMS

Scars, hollow temples, very prominent cheek bones, deep skin creases, and lack of teeth or dentures may cause respirator face-piece sealing problems. Full dentures should be retained when wearing a respirator, however partial dentures may or may not have to be removed, depending on the possibility of swallowing them. With full lower dentures, problems in fitting quarter masks can be expected, as the lower part of the mask tends to unseat the dentures.

SEC. 16-106 RESPIRATOR SELECTION

A. Respirators vary in design, application and protection capability. All respirators used in the Town of Bucksport operations must be NIOSH/OSHA approved.

B. Town of Bucksport's Responsibility

1. Respirator shall be provided by the Town of Bucksport when they are necessary to protect the health of the employee.
2. The Town of Bucksport shall provide the respirator which is applicable and suitable for the intended purpose.
3. The Town of Bucksport Department Heads shall be responsible for the establishment and maintenance of the respirator protection program.

C. Employee Responsibility

1. The employee shall use the respirator protection in accordance with instructions and training received.
2. The employee shall guard against damaging his respirator.
3. The employee shall report any trouble or malfunction of his respirator to his supervisor.

D. Classes of Respiratory Protection as Pertaining to Town of Bucksport

1. **Air Purifying** - Devices which remove contaminants from workplace air. These can be used only when oxygen levels equal or exceed 19.5%. They remove air contaminants by filtration (fibrous media remove solid or liquid particles such as dust, fumes, mist, smoke by inspection) and/or absorption/adsorption (chemical media reacts with gaseous or vapor contaminants).
2. **Dust and Mist Masks** - Must be NIOSH/OSHA approved. Must have two head straps. This product will not protect against fumes, gases and vapors. Also, do not use for spray painting or sandblasting. Use only if oxygen level equals or exceeds 19.5%.

SEC. 16-107 TRAINING

- A. Respirator users and their supervisors must understand the inhalation hazard as well as the specific use and limitations of available equipment to ensure adequate protection. Training should be conducted annually and contain, as a minimum:
1. Explanation of the nature of the airborne hazard and of the consequences of not using the respiratory protection properly.
 2. Status of evaluation/implementation of engineering/administrative controls.
 3. Discussion of respirator capabilities and limitations.
 4. Instruction in the actual use of a respirator (including those intended for emergency use). Training should include the opportunity for each participant to actually put on the respirator, check the face piece to face seal, and wear it in a test atmosphere (such as during a fit test)
 5. Procedures for cleaning, inspecting and storing respiratory equipment.

SEC. 16-108 MAINTENANCE AND CARE OF RESPIRATORS

A. INSPECTION

1. All respirators shall be inspected routinely before and after each use and will be logged. Log sheets will be kept in a safe place.
2. Respirators kept for emergency use must be inspected after each use, and at least monthly to assure that they are in satisfactory working condition.

Monthly inspections will be logged and log sheets will be kept in a safe place.

3. A record shall be kept of the inspection dates and findings for respirators maintained for emergency use.
4. Respirator inspection shall include:
 - a. Check of the tightness of connections and the condition of the face piece.
 - b. Check of the headbands.
 - c. Check of the inhalation/exhalation valves.
 - d. Check of the connection tube and canisters.
 - e. Rubber or elastomer parts shall be checked for pliability and deterioration

B. CLEANING AND DISINFECTION

1. Respirators shall be cleaned after each use.
2. Cleaning procedure shall include:
 - a. Remove and filters, cartridges, headbands, and disassemble the major respirator parts.
 - b. Wash all respirator parts (except cartridges and elastic headbands) in a cleaner/disinfectant solution at about 120 °F. Use a hand brush to remove dirt.
 - c. Rinse completely in clean, warm water.
 - d. Air-dry in a clean area.
 - e. Inspect all parts; replace with new parts, if defective.

- f. Reassemble the respirator and insert new filters or cartridges. Make sure that seal is hand tight.
- g. Disinfect all facial contact areas by spraying the respirator with an approved disinfectant.
- h. Place the respirator in a new plastic bag and seal it for storage.

C. REPAIR OF RESPIRATORS

1. Repair or replacement shall be done only by experienced persons with parts designed for the respirators.
2. No attempt shall be made to replace components or to make adjustments, or to repair beyond the manufacturer's recommendations.
3. Reducing or admission valves, or regulators shall be returned to the manufacturer or a trained technician for adjustment or repair.

D. STORAGE OF RESPIRATORS

1. After inspection, cleaning and necessary repairs, respirators shall be stored to protect against dust, sunlight, heat, extreme cold, excessive moisture or damaging chemicals.
2. Respirators placed at stations and work areas for emergency use should be stored in compartments built for the purpose, be quickly accessible at all times, and be clearly marked.
3. Routinely used respirators, such as half mask respirators, may be placed in plastic bags.
4. Respirators shall not be placed in lockers or tool boxes unless they can be protected from damage.
5. Respirators shall be packed or stored so that the face piece and the exhalation valve will rest in near normal position.

SEC. 16-109 MEDICAL EVALUATION

A. OSHA requires that the ability of workers to perform work while wearing respirators be assessed initially and then annually. The extent of the evaluation includes:

1. A questionnaire on your respiratory history approved by the Town of Bucksport and a local physician performing the evaluation.

2. A physical exam performed by a local physician as directed by OSHA regulations 1910.134 which at a minimum will include.
 - a. Pulmonary Function Test

SEC. 16-110 FIT TEST

- A. Quantitative assessment of respirator fit must be conducted when a device is first issued to an employee. Fit testing will be repeated annually.
- B. The initial fit test will be performed by an outside consultant, preferably a representative from the company that the respirators are purchased. The future fit test will be performed by the Department Head once he has been certified.
- C. Employees will be trained to perform positive and negative fit checks to insure that they have a good tight seal. This routine will be followed each time the respirator is worn.
- D. Code of Federal Regulations 1910.134 (E) (5) (I) states: "Respirators shall not be worn when conditions prevent a good face seal. Such conditions may be growth of beard, sideburns, a skull cap that projects under the face piece or temple pieces on glasses."

SEC. 16-111 OPERATING PROCEDURES FOR RESPIRATORS

- A. Each Town of Bucksport Department will provide for the proper storage and cleaning of respirators. They will be cleaned and disinfected monthly, or after each individual use.
- B. Respirators must be stored in the proper area when not being used.
- C. Whenever respirators are not in use they must be stored in the clean plastic bag in which they were issued.
- D. Respirators may not be worn when conditions prevent a good face seal (such as a growth of beard or missing dentures).
- E. Before and after using a respirator, the employee must inspect the respirator for tightness of connections and the condition of the face piece, headbands, valves, filter holders and filters. If any questionable items are found, the supervisor shall be contacted immediately and corrective action taken.
- F. Contact lenses are prohibited for users for respiratory equipment.

- G. To assure proper protection, the face piece fit must be checked by the wearer before use as follows:
1. **Positive Pressure Test:** Close off the exhalation valve with your hand. Breath air into the mask. The fit is satisfactory if some of the pressure can be built up inside the mask without any air leaking out between the mask and the face of the wearer.
 2. **Negative Pressure Test:** Close off the inlet openings of the cartridge with the palm of your hand. Inhale gently so that a vacuum occurs within the face piece. Hold your breath for 10 seconds. If the vacuum remains, and no inward leakage is detected, the respirator is properly fit.

SEC. 16-112 RESPIRATOR USERS

- A. Employees and non-employees who work in areas which may require the use of respirators which need a facial seal, will be clean shaven.
- B. Contractors who perform services for the Town that require the use of a respirator will be responsible for providing the necessary respiratory protective equipment and training for their people.

ARTICLE 17 ELECTRONIC COMMUNICATION POLICIES

The Town of Bucksport (“the Town”), in an age of growing technology and electronic communication, is implementing a policy to clearly define expectations and responsibilities that apply to all employees, contractors, part-time employees, volunteers and other individuals who are provided access to the e-mail system. Third parties will only be provided access to the e-mail system as necessary for their business purpose with the Town, and only if they abide by all applicable rules.

“**System**” means all telephones, computers, facsimile machines, voicemail, e-mail, and other electronic communication, copying or data storage systems or equipment leased, owned or in the possession of the Town, including, but not limited to, any computer, computer system, or any storage device or medium that the Town provides to an employee or that is physically or electronically connected to any other part of the System.

“**Electronic Communication**” means all electronic communications, data, software, files, and other information created, modified, located upon, received or transmitted by, or stored upon, and part of the System, including, but not limited to e-mail, voicemail, and internet usage.

All parts of the System are owned by the Town and/or are provided solely for use in the Town’s business activities. All Electronic Communications are the Town’s property. The Town has the right and the ability to monitor and review all Electronic Communications

at any time without notice to its employees or any other party and for any purpose whatsoever. Under certain circumstances, e-mail messages have been found to be public record and may be subject to right-to-know laws, depending on their content.

While users may have a confidential password, users should be aware that this does not mean that the system is for personal confidential communication, nor does it suggest that e-mail is the property right of the user. The use of the e-mail system is for Town business. Passwords should be periodically changed to ensure security of the System. Users should not share passwords with anyone else, other than his or her supervisor or as applicable state and federal laws may require. A computer user who has been authorized to use a password-protected account may be subject to civil and criminal liability if the user discloses their password or otherwise makes the account available to others without express permission of the Town Manager.

Users may not utilize the System, or send, receive, create or store Electronic Communications upon the System, in a manner that is illegal, disruptive to others, or that interferes with the Town's business activities. All users are prohibited from utilizing any part of the System to harass others, or to download, obtain, display, store, receive or transmit: (a) any information that is sexually explicit, obscene, or of a sexual nature, that contain libelous or defamatory material, or that would not be permitted on any bulletin located on Town property; (b) any ethnic, racial or religious slurs, or anything that is, or may be construed as, disparagement of others based on race, color, national origin, ancestry, gender, sexual orientation, age, disability, religious or political beliefs, or any other basis prohibited by law; or (c) any communications that are derogatory of fellow users (except as may be required as part of the Town's business activities). The System may also not be used to solicit anyone for any commercial, religious, charitable, or political causes, or for outside organizations. Except as otherwise provided below, the System may not be used for any purpose that is not related to Town business.

E-mail is used to transmit and receive messages internally and externally on matters of business connected to the Town. The occasional use of e-mail with permissible content for personal matters is not prohibited, but is discouraged. Voicemail is used to leave messages for employees regarding matters of a business nature. Voicemail boxes will occasionally be emptied to free up System space. Internet usage is to be limited to matters of business connected to the Town. The occasional use of the Internet for otherwise permissible personal matters is not prohibited, but is discouraged. Any downloading of materials or loading of programs/software onto any part of the System without permission from the Town Manager is prohibited.

In addition, e-mail messages are intended to be temporary communications that are non-vital and may be discarded routinely. However, depending on the content of the e-mail message, it may be considered a more formal record and should be retained pursuant to the Town's record retention schedule. As such, these e-mail messages are similar to printed communication and should be written with the same care.

Users should also be aware that when they delete a message from their workstation mailbox it might not have been deleted from the System. The message may reside in the recipient's mailbox or forwarded to other recipients. Furthermore, the message may be stored on the computer's back-up system for an indefinite period. Again, note that e-mail has been classified as a public document, i.e., available to the media, in at least one state. Keep this in mind when you create or store e-mail.

Users should store and/or delete e-mail messages as soon as possible after reading, as System disk space is limited. The Town Manager or his/her designee will automatically delete all messages after 60 days, unless archived by the user. Contact the Town Manager if you are unsure as to how to archive messages.

The workplace activities of System users reflect upon, and may create liability for, the Town. The person signing as a System user below, acknowledges receiving a copy of this policy and understands that the Town may take disciplinary action, up to and including termination of employment, against a user who violates the terms of this policy as those terms may be changed and/or supplemented from time to time by the Town.

The Town Manager will be responsible for overseeing the implementation of this policy and the accompanying rules, and for advising the Town Council of the need for any future amendments or revisions to the policy. The Town Manager may develop procedures governing the day-to-day management and operations of the Town's System as long as they are consistent with the Council's policy. The Town manager may delegate specific responsibilities to others as deemed appropriate.

Article 18 – Identity Theft Prevention Program

I. PROGRAM ADOPTION

The Town of Bucksport ("Town") developed this Identity Theft Prevention Program ("Program") pursuant to the Federal Trade Commission's Red Flags Rule ("Rule"), which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003. 16 C. F. R. § 681.2. This Program was developed with oversight and approval of the Management and Town Council of Bucksport. After consideration of the size and complexity of the Town's operations and account systems, and the nature and scope of the Town's activities, the Town Council determined that this Program was appropriate for the Town of Bucksport, and therefore approved this Program on April 30, 2009.

II. PROGRAM PURPOSE AND DEFINITIONS

A. Fulfilling requirements of the Red Flags Rule

Under the Red Flag Rule, every financial institution and creditor is required to establish an “Identity Theft Prevention Program” tailored to its size, complexity and the nature of its operation. Each Program must contain reasonable policies and procedures to:

1. Identify relevant Red Flags for new and existing covered accounts and incorporate those Red Flags into the Program;
2. Detect Red Flags that have been incorporated into the Program;
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft; and
4. Ensure the Program is updated periodically, to reflect changes in risks to customers or to the safety and soundness of the creditor from Identity Theft.

B. Red Flags Rule definitions used in this Program

The Red Flags Rule defines “Identity Theft” as “fraud committed using the identifying information of another person” and a “Red Flag” as a pattern, practice, or specific activity that indicates the possible existence of Identity Theft.

According to the Rule, a municipal utility is a creditor subject to the Rule requirements. The Rule defines creditors “to include finance companies, automobile dealers, mortgage brokers, utility companies, and telecommunications companies. Where non-profit and government entities defer payment for goods or services, they, too, are to be considered creditors.”

All the Town’s accounts that are individual service-type accounts held by customers of the Town whether residential, commercial or industrial are covered by the Rule. Under the Rule, a “covered account” is:

1. Any account the Town offers or maintains primarily for personal, family or household purposes, that involves multiple payments or transactions; and
2. Any other account the Town offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the Town from Identity Theft.

“Identifying information” is defined under the Rule as “any name or number that may be used, alone or in conjunction with any other information, to identify a specific person,” including: name, address, telephone number, social security number, date of birth, government issued driver’s license or identification number, alien registration number, government passport number, employer or taxpayer identification number, unique electronic identification number, computer’s Internet Protocol address, or routing code.

C. Risk Assessment

The Town of Bucksport has conducted an internal risk assessment to evaluate how at risk the current procedures are at allowing customers to create a fraudulent account and

evaluate if current (existing) accounts are being manipulated. The risk assessment evaluated how new accounts were opened and the methods used to access the account information. Using this information the Town was able to identify Red Flags that were appropriate to prevent Identity Theft. The following is a list of assessment findings:

1. The Town is a creditor pursuant to 16 C. F. R. § 681.2 due to its provision or maintenance of covered accounts for which payment is made in arrears.
2. Covered accounts offered to customers for the provision of service include wastewater and ambulance accounts.
 - a. Covered accounts may be opened in-person, via telephone request (human interaction) or change in ownership based on recorded deed.
 - b. Covered accounts may be accessed in-person and via telephone (human interaction) or mail request.
3. The Town has identified the following methods in which Identity Theft could occur:
 - a. Opening of a new covered account
 - b. Restoring an existing covered account
 - c. Making a fraudulent change of address request on an existing covered account
 - d. Making fraudulent payments on a covered account
4. Based on the foregoing determinations, the Town considers that there is a low level of Identity Theft risk to covered accounts occurring in the following ways:
 - a. Use of another's identifying information to establish a new covered account; ***The Town does not request social security numbers from its customers;***
 - b. Use of a previous customer's identifying information by another person in an effort to have service restored;
 - c. Use of another's debit or credit card or other method of payment by a customer to pay such a customer's covered account or accounts; ***The Town does not accept debit or credit cards or electronic funds transfers (EFT's) for payment of covered accounts;***
 - d. The Town limits access to personal identifying information to those employees responsible for or otherwise involved in opening or restoring covered accounts or accepting payment for use of covered accounts. Information provided to such employees is entered directly into the Town's computer system(s) and is not otherwise recorded.
 - e. The Town has ***no*** previous experience with Identity Theft related to covered accounts.

III. IDENTIFICATION OF RED FLAGS

In order to identify relevant Red Flags, the Town considers the types of accounts that it offers and maintains, the methods it provides to open its accounts, the methods it provides to access its accounts, and its previous experiences with Identity Theft. The Town identifies the following Red Flags, in each of the listed categories:

A. Suspicious Documents

Red Flags

1. Identification document or card that appears to be forged, altered or inauthentic;
2. Identification document or card on which a person's photograph or physical description is not consistent with the person presenting the document;
3. Other information provided by applicant that is not consistent with existing customer information; and
4. Application for service that appears to have been altered or forged.

B. Suspicious Personal Identifying Information

Red Flags

1. Identifying information presented that is inconsistent with other information the customer provides (example: inconsistent birth dates);
2. Identifying information presented that does not match other sources of information (for instance, a given address does not match an address on a credit report);
3. Identifying information presented that is the same as information shown on other applications that were found to be fraudulent;
4. Identifying information presented that is consistent with fraudulent activity (such as an invalid phone number or fictitious billing address);
5. An address or phone number presented that is the same as that of another person;
6. A person fails to provide complete personal identifying information on an application when reminded to do so (however, by law social security numbers must not be required); and
7. Personal information provided is not consistent with the information on file for a customer.

C. Suspicious Account Activity or Unusual Use of a Covered Account

Red Flags

1. Change of address for an account followed by a request to change the account holder's name;
2. Payments stop on an otherwise consistently up-to-date account;
3. Account used in a way that is not consistent with prior use (example: very high activity);
4. Mail sent to the account holder is repeatedly returned as undeliverable;
5. Notice to the Town that a customer is not receiving mail sent by the Town;
6. Notice to the Town that an account has unauthorized activity;
7. Breach in the Town's computer system security; and

8. Unauthorized access to or use of customer account information.

D. Alerts from Others

Red Flag

1. Notice to the Town from a customer, Identity Theft victim, law enforcement or other person that it has opened or is maintaining a fraudulent account for a person engaged in Identity Theft.

IV. DETECTING RED FLAGS

A. New Accounts

In order to detect any of the Red Flags identified above associated with the opening of a **new account**, Town personnel will take the following steps to obtain and verify the identity of the person opening the account:

Detect

1. Require certain identifying information such as name, date of birth, residential or business address, principal place of business for an entity, driver's license or other identification;
2. Verify the customer's identity (for instance, review a driver's license or other identification card);
3. Review documentation showing the existence of a business entity; and
4. Independently contact the customer.

B. Existing Accounts

In order to detect any of the Red Flags identified above for an **existing account**, Town personnel will take the following steps to monitor transactions with an account:

Detect

1. Verify the identification of customers if they request information (in person, via telephone, facsimile, or email);
2. Verify the validity of requests to change billing addresses; and
3. Verify changes in banking information given for billing and payment purposes.

V. PREVENTING AND MITIGATING IDENTITY THEFT

In the event Town personnel detect any identified Red Flags, such personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

Prevent and Mitigate

1. Continue to monitor an account for evidence of Identity Theft;
2. Contact the customer;
3. Change any passwords or other security devices that permit access to accounts;
4. Not open a new account;
5. Close an existing account;
6. Reopen an account with a new number;
7. Notify the Program Administrator for determination of the appropriate step(s) to take;
8. Notify local law enforcement; or
9. Determine that no response is warranted under the particular circumstances.

Protect customer identifying information

In order to further prevent the likelihood of Identity Theft occurring with respect to Town accounts, the Town will take the following steps with respect to its internal operating procedures to protect customer identifying information:

Physical Security of Personal Identifying Information

1. Request only the last 4 digits of social security numbers (if any);
2. Require and keep only the kinds of customer information that are necessary for Town purposes;
3. Keep offices clear of papers containing customer information when employees leave their work areas;
4. Keep files containing personally identifiable information in locked file cabinets except when an employee is working on the file;
5. Ensure complete and secure destruction of paper documents and computer files containing personally identifiable information;
6. Access to offsite storage facilities is limited to employees with a legitimate business need;
7. Ensure any sensitive information shipped using outside carriers or contractor is secure; use a shipping service that allows tracking of the delivery of this information.

Security of Electronic Records

General Network Security

1. Prohibit sensitive consumer data from being stored on any computer with an Internet connection unless essential for conducting business;
2. Ensure secure storage of sensitive information on a computer network or portable storage devices used by Town employees;
3. Run most current version of anti-virus and anti-spyware programs on individual computers and servers daily;
4. Ensure that remote access to the computer network where sensitive information resides by service providers to troubleshoot and update software

or provide training be allowed on an as-needed basis only. Employees will monitor each session continually until the session is discontinued and the connection is broken;

5. Ensure that its website is secure or provide clear notice that the website connection is not secure;
6. Ensure secure Internet connections are used when credit card information or other sensitive data is received or transmitted;
7. Ensure the use of a secure wireless network only;
8. Prohibit staff from loading software without prior authorization of the Program Administrator;

Password Management

1. Ensure access to sensitive information will be controlled using “strong” passwords. Employees will choose passwords with a mix of letters, numbers, and characters. User names and passwords will be different.
2. Prohibit the sharing or posting of passwords near workstations;

Laptop Security –

1. The use of laptops is restricted to those employees who need them to perform their jobs;
2. Laptop users will not store sensitive information their laptops unless essential for conducting business;

Firewalls

1. Have a “border” firewall where the computer network connects to the Internet; and
2. Monitor incoming and outgoing traffic for signs of a data breach.

VI PROGRAM UPDATES

This Program will be periodically reviewed and updated to reflect changes in risks to customers and the soundness of the Town from Identity Theft. At least annually, the Program Administrator will consider the Town's experiences with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, changes in types of accounts the Town maintains and changes in the Town's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the Program, including the listing of Red Flags, are warranted. If warranted, the Program Administrator will update the Program and present the Town Council with his or her recommended changes and the Town Council will make a determination of whether to accept, modify or reject those changes to the Program.

VII. PROGRAM ADMINISTRATION.

A. Oversight

The Town Manager will be designated as the Program Administrator. The Program Administrator will be responsible for the Program administration, for ensuring appropriate training of Town staff on the Program, for reviewing any

staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the Program.

B. Staff Training and Reports

Town staff responsible for implementing the Program shall be trained either by or under the direction of the Program Administrator in the detection of Red Flags, and the responsive steps to be taken when a Red Flag is detected. *(The Town may include in its Program how often training is to occur. The Program may also require staff to provide reports to the Program Administrator on incidents of Identity Theft, the Town's compliance with the Program and the effectiveness of the Program.)*

C. Service Provider Arrangements

In the event the Town engages a service provider to perform an activity in connection with one or more accounts, the Town will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of Identity Theft.

1. Verify that service providers have such policies and procedures in place; and
2. Request that service providers review the Town's Program and report any Red Flags to the Program Administrator.

D. Specific Program Elements and Confidentiality

For the effectiveness of Identity Theft Prevention Programs, the Red Flag Rule envisions a degree of confidentiality regarding the Town's specific practices relating to Identity Theft detection, prevention and mitigation. Therefore, under this Program, knowledge of such specific practices is to be limited to the Program Administrator and those employees who need to know them for purposes of preventing Identity Theft. Because this Program is to be adopted by a public body and thus publicly available, it would be counterproductive to list these specific practices here. Therefore, only the Program's general Red Flag detection, implementation and prevention practices are listed in this document.

Personnel Rules & Regulations was adopted on December 14, 1972. It was amended on May 13, 1976 (add two holidays)

Chapter 2, Administration, was adopted in conjunction with the Town Code on March 9, 1978 and amended on the following dates:

April 13, 1978 (sections 2-216, 2-225)

October 11, 1979 (sections 2-201, 2-212, 2-213)

May 14, 1981 (section 2-208 repealed & replaced) (sections 2-213, 2-216. section 2-202)
October 8, 1981 (section 2-302)
May 8, 1986 (section 2-202, 2-208. 2-212, 2-213, 2-223, 2-216, 2-302)
May 29, 1986 (workplace smoking policy)
July 10, 1986 (chemical hazard communication policy)
March 12, 1987(section 2-226 alcohol & drug use policy, section 2-222)
December 10, 1987 (employee safety policies)
October 12, 1989 (sections 2-225, 2-230, 2-301)
February 14, 1991 (section 2-225, 2-500 work place smoking policy)
March 12, 1992 (sexual harassment policy)
June 11, 1992 (sections 2-409, 2-411, 2-414A, 2-416, 2-416A, 2-416B)
December 10, 1992 (ADA grievance procedures) (blood-born pathogen exposure control plan)
February 25, 1993 (workplace smoking policy)
April 8, 1993 (workplace smoking policy)
December 14, 1995 (alcohol & drug policy)
July 10, 1997 (sections 10-101, 10-201, 10-301, 10-401, 10-501, 10-601, 10-701, 10-801, 11-101, 11-201) (article 11 video display)
December 11, 1997 (article 2 repeal & replace) (sections 2-419, 2-420, 2-421, 2-422)
January 29, 1998 (article 13)
January 14, 1999 (section 2-416A, 2-416B, 2-420, 2-422, article 6 R&R, article 14, article 15, article 16)
January 25, 2001 (section 2-225)
September 25, 2003 (sections 2-213, 2-225)
March 11, 2004 (article 17)
September 30, 2004 (section 2-503)
December 13, 2007 (Replace Article 2, delete content of Article 3, 5 & 10)
July 9, 2009 (Article 18 added)
July 29, 2010 (Section 1.7)
March 10, 2011 (Article 2 Section 1.13.1.b, Section 2.3.2, Section 2.4, Section 2.4.3, Section 2.4.4, Section 2.4.5, Section 2.15.2. Article 4 Section 2-407, Section 13-113.)
September 29, 2011 (Sections 1.7 & 2.17)
November 10, 2011 (Article 17)
August 28, 2014 (Section 2.1 Holidays)

Town Clerk note: *A scrivener's error in Article 2 was corrected. The use of section number 1.16 was inadvertently omitted in the ordinance approved on December 13, 2007. On January 12, 2008, it was replaced and sections 1.17 through 1.32 were renumbered. The table of contents was also renumbered.*